

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
|---|---|----------------------------------|
| Chicago Police Officer SHANNON SPALDING, |) | |
| Chicago Police Officer DANIEL ECHEVERRIA, |) | Case No. 12-cv-8777 |
| |) | |
| Plaintiffs, |) | Judge Gary Feinerman |
| |) | Magistrate Judge Shelia Finnegan |
| v. |) | |
| |) | |
| CITY OF CHICAGO, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

**EXHIBIT LIST FOR DEFENDANTS' REPLY TO PLAINTIFFS' LOCAL
RULE 56.1(B)(3)(C) STATEMENT OF ADDITIONAL FACTS THAT
REQUIRE DENIAL OF SUMMARY JUDGMENT**

| | |
|-------------------|---|
| Exhibit A. | The Supplemental Declaration of James O'Grady ("O'Grady Decl.") |
| Exhibit B. | The Supplemental Declaration of Nick Roti ("Roti Decl.") |
| Exhibit C. | The Deposition of Coleen Dougan ("Dougan Dep.") |
| Exhibit D. | The Declaration of Kevin Culhane ("Culhane Decl.") |

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
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| Chicago Police Officer SHANNON SPALDING, |) | |
| Chicago Police Officer DANIEL ECHEVERRIA, |) | Case No. 12-cv-8777 |
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| Plaintiffs, |) | Judge Gary Feinerman |
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| v. |) | |
| |) | |
| CITY OF CHICAGO, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

SUPPLEMENTAL DECLARATION OF JAMES O'GRADY

I, James O'Grady, declare under penalty of perjury that this statement is true and correct.

1. I was employed with the Chicago Police Department ("CPD") from 1986 until 2013. In or about 1997, I applied for and was assigned to the Internal Affairs Division where I worked undercover on police impersonators and police corruption cases. After several years in various CPD positions, in or about August 2008 I became the Commander of the Narcotics Division, Bureau of Organized Crime. I stayed in that role until October of 2013, when I was assigned to Commander of 11th District. I retired from CPD in December 2013.

2. At some point in time after Plaintiffs Shannon Spalding ("Spalding") and Daniel Echeverria ("Echeverria") (collectively, "Plaintiffs") had been detailed out of the Narcotics Division and were no longer working at the Homan Square location where Narcotics was housed, I had a conversation with Anthony Hernandez ("Hernandez"), a Narcotics officer who was Spalding's boyfriend, about Spalding visiting Hernandez during his work time at Homan Square. During that conversation, I told Hernandez that he was not supposed to be visiting with his girlfriend while he's working, and is not supposed to leave his assigned post without his

supervisor's approval. Hernandez said that Spalding had been dropping something off to him, and admitted that he had left his post without his supervisor's approval.

3. I have reviewed the Affidavit of Anthony Hernandez ("Hernandez Affidavit") that was filed by Plaintiffs in this litigation, a copy of which is attached hereto as Exhibit 1. While I do not recall whether or not the conversation I had with Hernandez concerning Spalding being at the Homan Square facility was in July of 2011, everything else stated by Hernandez in paragraphs 3 through 9 of the Hernandez Affidavit is false. The alleged communications therein between Hernandez and me never occurred.

4. I know Beatrice Cuello ("Cuello"), who at one time was Deputy Superintendent of CPD. I also know James Jackson ("Jackson"), who at one time was First Deputy Superintendent of CPD.

5. At no time have I ever been part of any meeting with Cuello or Jackson where either Spalding or Echeverria was discussed in any manner, including whether or not Plaintiffs could return to the Narcotics Division or the Bureau of Organized Crime (Unit 189).

6. At no time have I ever had any conversation or other communication whatsoever with Cuello or Jackson regarding either Spalding or Echeverria, including whether or not Plaintiffs could return to the Narcotics Division or the Bureau of Organized Crime (Unit 189).

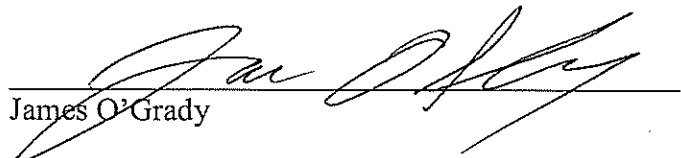

James O'Grady
Executed on March 27, 2016

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
|---|---|----------------------------------|
| Chicago Police Officer SHANNON SPALDING, |) | |
| Chicago Police Officer DANIEL ECHEVERRIA, |) | Case No. 12-cv-8777 |
| |) | |
| Plaintiffs, |) | Judge Gary Feinerman |
| |) | Magistrate Judge Shelia Finnegan |
| v. |) | |
| |) | |
| CITY OF CHICAGO, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

SUPPLEMENTAL DECLARATION OF NICHOLAS ROTI

I, Nicholas Roti, declare under penalty of perjury that this statement is true and correct.

1. I was employed with the Chicago Police Department ("CPD") from June 1986 until March 2015. From in or about March 2008 to in or about August 2008, I was the Commander of the Narcotics Section of the Bureau of Organized Crime. From in or about August 2008 until in or about October 2008, I was the Deputy Chief of the Detective Division. In or about October 2008, I became the Deputy Chief of Organized Crime. In or about July 2010, I became the Chief of the Bureau of Organized Crime, and I remained in that position until I retired from CPD in March 2015.

2. I know Beatrice Cuello ("Cuello"), who at one time was Deputy Superintendent of CPD. I also know James Jackson ("Jackson"), who at one time was First Deputy Superintendent of CPD.

3. At no time have I ever been part of any meeting in which James O'Grady, Cuello and Jackson were all present where either Spalding or Echeverria was discussed in any manner, including whether or not Plaintiffs could return to the Narcotics Division or the Bureau of Organized Crime (Unit 189).

4. At no time have I ever had any conversation or other communication whatsoever with Cuello or Jackson in which anyone referred to either Spalding or Echeverria as "rats" or "IAD rats" or in which I indicated I was not allowing either Spalding or Echeverria to return to the Narcotics Division or the Bureau of Organized Crime (Unit 189) because Plaintiffs had worked with IAD or anything along those lines.



Nicholas Roti

Executed on March 24, 2016

EXHIBIT C

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Chicago Police
Officers SHANNON
SPALDING and DANIEL
ECHEVERRIA,

Plaintiffs,

vs.

No. 12 C 8777

CITY OF CHICAGO,
Chicago Police Chief
JUAN RIVERA, Chicago
Police Chief DEBRA
KIRBY, Chicago Police
Commander JAMES
O'GRADY, Chicago
Police Chief NICHOLAS
ROTTI, Chicago Police
Lt. DEBORAH PASCUA,
Chicago Police
Sergeant MAURICE
BARNES, Chicago Police
Lt. ROBERT CESARIO,
Chicago Police
Commander JOSEPH
SALEMME, Chicago
Police Sergeant THOMAS
MILLS, Chicago Police
Sergeant MICHAEL BARZ
and Chicago Police
Sergeant ROBERT
MUSCOLINO,

Defendants.

DEPOSITION OF COLEEN DOUGAN

June 17, 2015

9:51 a.m.

1 The deposition of COLEEN DOUGAN,
2 called for examination pursuant to the Rules
3 of Civil Procedure for the United States
4 District Courts pertaining to the taking of
5 depositions, taken before MARIBETH REILLY,
6 C.S.R, and notary public within and for the
7 County of DuPage and State of Illinois, at
8 One North LaSalle Street, Suite 3040,
9 Chicago, Illinois, on June 17, 2015,
10 commencing at the hour of 9:51 a.m.

11

12 APPEARANCES:

13 Kinoy, Taren & Geraghty, P.C., by:
14 Mr. Jeffrey Taren
15 224 South Michigan Avenue
16 Suite 490
17 Chicago, Illinois 60604

18 -and-

19 Christopher Smith Trial Group, by:
20 Mr. Christopher Smith
21 One North LaSalle Street
22 Suite 2200
23 Chicago, Illinois 60602

24 Representing the Plaintiffs;

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|---|--|
| <p style="text-align: right;">Page 3</p> <p>1 APPEARANCES: (Continued)</p> <p>2</p> <p>3 Dinker Biddle & Reath LLP</p> <p>4 BY: Ms. Leslie Davis</p> <p>5 191 North Wacker Drive</p> <p>6 Suite 3700</p> <p>7 Chicago, Illinois 60606</p> <p>8 Representing the Defendants;</p> <p>9</p> <p>10 MR. DANIEL ECHEVERRIA,</p> <p>11 Also present.</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23 Maribeth Reilly, C.S.R</p> <p>24 License No: 084-2306</p> | <p style="text-align: right;">Page 5</p> <p>1 (Whereupon, the witness was</p> <p>2 duly sworn.)</p> <p>3 MR. TAREN: This is the case of</p> <p>4 Shannon Spalding and Daniel Echeverria</p> <p>5 versus City of Chicago, 12 C 8777, and the</p> <p>6 deposition of Coleen Dougan.</p> <p>7 COLEEN DOUGAN,</p> <p>8 having been first administered an oath, was</p> <p>9 examined and testified as follows:</p> <p>10 EXAMINATION:</p> <p>11 BY MR. TAREN:</p> <p>12 Q. Ms. Dougan, my name is Jeffrey</p> <p>13 Taren. I am one of the attorneys for the</p> <p>14 plaintiffs in this case. Have you ever had</p> <p>15 your deposition taken before?</p> <p>16 A. Years ago.</p> <p>17 Q. How many times?</p> <p>18 A. One.</p> <p>19 Q. What kind of a case was it?</p> <p>20 A. It was personal.</p> <p>21 Q. You are going to have to tell me.</p> <p>22 Was it in any way related to your</p> <p>23 employment?</p> <p>24 A. No.</p> |
| <p style="text-align: right;">Page 4</p> <p>1 INDEX</p> <p>2 WITNESS EXAMINATION</p> <p>3 COLEEN DOUGAN</p> <p>4 By Mr. Taren 5</p> <p>5</p> <p>6</p> <p>7 EXHIBITS</p> <p>8</p> <p>9 NUMBER MARKED FOR ID</p> <p>10 Deposition Exhibit</p> <p>11</p> <p>12 (No deposition exhibits were marked.)</p> <p>13</p> <p>14 * * * * *</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> | <p style="text-align: right;">Page 6</p> <p>1 Q. What kind of a case was it?</p> <p>2 A. Kind of a domestic-related case.</p> <p>3 Q. Was it a part of a divorce?</p> <p>4 A. No.</p> <p>5 Q. What role did you play in the</p> <p>6 case?</p> <p>7 A. It was my stepfather.</p> <p>8 Q. But were you a party to -- did you</p> <p>9 sue someone, or were you being sued?</p> <p>10 A. I was being sued.</p> <p>11 Q. Where was it? In Cook County?</p> <p>12 A. Yes.</p> <p>13 Q. I understand your reluctance to</p> <p>14 talk about these things, but so that you</p> <p>15 know, as part of this deposition, I am going</p> <p>16 to be having to ask you some personal</p> <p>17 questions. It's not meant to trick you or</p> <p>18 to humiliate you in any way. It's just part</p> <p>19 of my job in getting all of the background</p> <p>20 information.</p> <p>21 So do you have any</p> <p>22 recollection of when the deposition was?</p> <p>23 A. Maybe -- I don't remember. It was</p> <p>24 a long time ago. Could have been in like</p> |

| Page 7 | Page 9 |
|--|---|
| <p>1 '01.</p> <p>2 Q. What was your stepfather's name?</p> <p>3 A. Ken.</p> <p>4 Q. What was his last name?</p> <p>5 A. Graham.</p> <p>6 Q. G-r-a-h-a-m?</p> <p>7 A. Uh-huh.</p> <p>8 Q. What was he suing you for?</p> <p>9 A. The deposition wasn't for the</p> <p>10 lawsuit. It was for the domestic. I was</p> <p>11 the victim.</p> <p>12 Q. Can you explain to me?</p> <p>13 A. I'd rather not explain.</p> <p>14 MS. DAVIS: Just tell him what the</p> <p>15 case was about, and we can get past this.</p> <p>16 THE WITNESS: It was in regards to</p> <p>17 a domestic battery, and I was getting an</p> <p>18 order of protection.</p> <p>19 BY MR. TAREN:</p> <p>20 Q. So when you said that you were</p> <p>21 being sued, what were you being sued for?</p> <p>22 A. He wanted my house.</p> <p>23 Q. What was the claim, do you know?</p> <p>24 A. The claim was that he had put</p> | <p>1 Daniel Echeverria when they were employed in</p> <p>2 the police department.</p> <p>3 Do you want some water?</p> <p>4 A. I do.</p> <p>5 (Whereupon, a break was taken</p> <p>6 at 9:57 a.m.</p> <p>7 BY MR. TAREN:</p> <p>8 Q. I will be asking you questions.</p> <p>9 They are not designed to trick you. If you</p> <p>10 don't understand a question, let me know. I</p> <p>11 will be happy to rephrase the question. If</p> <p>12 you answer, I will assume you understood the</p> <p>13 question.</p> <p>14 In terms of the rules here,</p> <p>15 the only real rule other than telling the</p> <p>16 truth is all answers must be audible. So if</p> <p>17 you shake your head like we all do or say</p> <p>18 uh-huh or uh-huh, the court reporter can't</p> <p>19 take that down. Okay?</p> <p>20 A. Okay.</p> <p>21 Q. If you need a break at some point,</p> <p>22 as long as there is not a question pending,</p> <p>23 let us know, and we will be happy to take a</p> <p>24 break.</p> |
| Page 8 | Page 10 |
| <p>1 money in a bank account to pay me for my</p> <p>2 house, but the money was still there. He</p> <p>3 said he couldn't take it out. It was very</p> <p>4 convoluted. He was a drug addict.</p> <p>5 Q. How did the case get resolved?</p> <p>6 A. He took his money out of the bank.</p> <p>7 Q. Was there a court order of some</p> <p>8 sort allowing him to?</p> <p>9 A. Yes, there was.</p> <p>10 Q. Was there any kind of finding with</p> <p>11 regard to you in that case?</p> <p>12 A. That I held no liability towards</p> <p>13 him, that it was -- it wasn't like a guilty</p> <p>14 or a not guilty finding. It was a finding</p> <p>15 that I did nothing wrong, basically.</p> <p>16 Q. This was a civil case?</p> <p>17 A. It was a civil matter.</p> <p>18 Q. Let me explain what this</p> <p>19 deposition is because it may be different</p> <p>20 from the last one that you gave. I am going</p> <p>21 to be questioning you about your employment</p> <p>22 primarily with the Chicago Police</p> <p>23 Department, and about information that you</p> <p>24 may have concerning Shannon Spalding or</p> | <p>1 As I said, I will be asking</p> <p>2 you some personal information questions.</p> <p>3 It's really for the purpose of this lawsuit.</p> <p>4 They are asked of everyone, and I just like</p> <p>5 to let people know in advance. Okay?</p> <p>6 A. Okay.</p> <p>7 Q. Can you tell me your current</p> <p>8 address?</p> <p>9 A. 3631 North Pioneer.</p> <p>10 Q. That's in the City, correct?</p> <p>11 A. Chicago.</p> <p>12 Q. How long have you lived there?</p> <p>13 A. About 12 years.</p> <p>14 Q. Are you married, Ms. Dougan?</p> <p>15 A. Yes.</p> <p>16 Q. And what is your husband's name?</p> <p>17 A. Michael.</p> <p>18 Q. Is he employed by the Chicago</p> <p>19 Police Department?</p> <p>20 A. Yes.</p> <p>21 Q. What is his position? Is he a</p> <p>22 sworn officer?</p> <p>23 A. Yes.</p> <p>24 Q. How long has he been an officer?</p> |

| Page 11 | Page 13 |
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| <p>1 A. 20 years.</p> <p>2 Q. How long have you been married?</p> <p>3 A. 15.</p> <p>4 Q. What was his rank?</p> <p>5 A. Police officer.</p> <p>6 Q. And what is his current</p> <p>7 assignment?</p> <p>8 A. Canine.</p> <p>9 Q. To your knowledge, has your</p> <p>10 husband ever worked with either Shannon</p> <p>11 Spalding or Daniel Echeverria?</p> <p>12 A. Not that I know, no.</p> <p>13 Q. Do you have any children?</p> <p>14 A. Yes.</p> <p>15 Q. Just let me know what their ages</p> <p>16 are?</p> <p>17 A. 20 and 13.</p> <p>18 Q. Is your 20-year-old employed by</p> <p>19 the Chicago Police Department, or has he</p> <p>20 ever been?</p> <p>21 A. She.</p> <p>22 Q. She?</p> <p>23 A. No.</p> <p>24 Q. Can you briefly tell me what your</p> | <p>1 department.</p> <p>2 Q. And then what year did you join</p> <p>3 the police department?</p> <p>4 A. 1992.</p> <p>5 Q. Have you been employed by the</p> <p>6 police department ever since?</p> <p>7 A. Yes.</p> <p>8 Q. I'd like you to, if you can, take</p> <p>9 me through your career at the police</p> <p>10 department in terms of positions you have</p> <p>11 held and assignments with approximate dates,</p> <p>12 if you can?</p> <p>13 A. Dates are rough. Obviously, when</p> <p>14 I got on the police department, I was</p> <p>15 assigned to the police academy. I did my</p> <p>16 field training in 23, 23rd District for six</p> <p>17 months, and then I was detailed to 24th</p> <p>18 District until my probation was up, and then</p> <p>19 I bid into the 15th District.</p> <p>20 Q. So then when did you bid into the</p> <p>21 15th District, approximately?</p> <p>22 A. Probably sometime in 1993 when my</p> <p>23 year was up.</p> <p>24 Q. How long did you remain there?</p> |
| Page 12 | Page 14 |
| <p>1 educational background is?</p> <p>2 A. As -- what do you mean?</p> <p>3 Q. Where did you go to high school?</p> <p>4 A. I went to Good Counsel High</p> <p>5 School.</p> <p>6 Q. Where is that?</p> <p>7 A. Chicago.</p> <p>8 Q. What year did you graduate?</p> <p>9 A. 1988.</p> <p>10 Q. What is your date of birth?</p> <p>11 A. 22, December, 1969.</p> <p>12 Q. And after high school, did you</p> <p>13 attend college?</p> <p>14 A. Yes.</p> <p>15 Q. Where did you go?</p> <p>16 A. I went to Wright and Triton for</p> <p>17 prerequisites.</p> <p>18 Q. Okay.</p> <p>19 A. For nursing school.</p> <p>20 Q. Did you receive any kind of degree</p> <p>21 or certification?</p> <p>22 A. I stayed in nursing school at</p> <p>23 St. Francis Hospital in Evanston for a year</p> <p>24 and a half, which I left to join the police</p> | <p>1 A. Until, I want to say -- it's not</p> <p>2 for sure, but I want to say -- I had surgery</p> <p>3 in '98. So 1998.</p> <p>4 Q. Then how did your assignment</p> <p>5 change at that time?</p> <p>6 A. I had an accident in 1996 that I</p> <p>7 had been dealing with, and then I ended up</p> <p>8 finally having back surgery, spinal fusion.</p> <p>9 So in 1998, I had my surgery,</p> <p>10 and I was able to work out of the 12th</p> <p>11 District in the commander's office as an</p> <p>12 administrative assistant.</p> <p>13 Q. Who was the commander at that time</p> <p>14 that you worked for?</p> <p>15 A. Maurice Dailey.</p> <p>16 Q. How long were you in that</p> <p>17 position?</p> <p>18 A. I was in there -- this isn't exact</p> <p>19 times just so you know -- about a year, and</p> <p>20 then I went back and worked on the streets.</p> <p>21 Q. Did you go back to the 15th</p> <p>22 District?</p> <p>23 A. No. I stayed in 12 for a little</p> <p>24 while, and worked on days, and then I bid to</p> |

| Page 15 | Page 17 |
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| <p>1 the 25th District.</p> <p>2 Q. Approximately how long were you at</p> <p>3 the 25th?</p> <p>4 A. Maybe eight months.</p> <p>5 Q. And then what?</p> <p>6 A. And then I went to Area 5</p> <p>7 Detective Division as an administrative</p> <p>8 assistant.</p> <p>9 Q. What period of time were you in</p> <p>10 Area 5 Detective Division?</p> <p>11 A. Approximately, it would have been,</p> <p>12 from 2000.</p> <p>13 Q. Until when?</p> <p>14 A. Until they closed in 2012.</p> <p>15 Q. Who did you serve as</p> <p>16 administrative assistant to at Area 5?</p> <p>17 A. The first commander that I worked</p> <p>18 for was Gerard Minke, and then it was</p> <p>19 Commander Lee Epplen. Then it was Commander</p> <p>20 Constantine Andrews. Then it was</p> <p>21 Commander Joseph Salemme, and that's it.</p> <p>22 Q. And then how did your employment</p> <p>23 change in 2012?</p> <p>24 A. Well, they closed Area 5 Detective</p> | <p>1 A. What do you mean?</p> <p>2 Q. Did you meet with counsel? Don't</p> <p>3 tell me what you said, but just tell me if</p> <p>4 you did?</p> <p>5 A. I met with Leslie.</p> <p>6 Q. And when did you do that?</p> <p>7 A. I met with her yesterday, and we</p> <p>8 met a while ago. I don't remember what</p> <p>9 dates.</p> <p>10 Q. Other than speaking with counsel,</p> <p>11 did you talk with anyone else to prepare for</p> <p>12 today's deposition?</p> <p>13 A. No.</p> <p>14 Q. Did you review any documents?</p> <p>15 A. Yes.</p> <p>16 Q. What documents did you review?</p> <p>17 A. I reviewed Jan Hanna's affidavit.</p> <p>18 Q. Anything else?</p> <p>19 A. No.</p> <p>20 Q. Did you review anybody -- any</p> <p>21 depositions that anyone else gave in this</p> <p>22 case?</p> <p>23 A. No.</p> <p>24 Q. Were you given excerpts of</p> |
| Page 16 | Page 18 |
| <p>1 Division and merged different areas, so</p> <p>2 there used to be five areas. Now there is</p> <p>3 three. So now there is only north, south</p> <p>4 and central.</p> <p>5 Commander Salemme was going to</p> <p>6 work for Fugitive Apprehension in Homan</p> <p>7 Square. I guess I had a choice of either</p> <p>8 going to work north or work with Commander</p> <p>9 Salemme, and I chose to go to Fugitive</p> <p>10 Apprehension, Central Investigations</p> <p>11 Division.</p> <p>12 Q. Do you recall when in 2012 that</p> <p>13 occurred?</p> <p>14 A. I was on furlough. I want to say</p> <p>15 the end of February, beginning of March. I</p> <p>16 want to -- it's not exact, but I want to say</p> <p>17 maybe March, March. Yes.</p> <p>18 Q. I am going to be focusing</p> <p>19 primarily on your time in Fugitive</p> <p>20 Apprehension. Before I do that, can you</p> <p>21 tell me what you did to prepare for today's</p> <p>22 deposition?</p> <p>23 A. To prepare?</p> <p>24 Q. Yes.</p> | <p>1 anybody's depositions?</p> <p>2 A. No.</p> <p>3 Q. How long were you on furlough</p> <p>4 before the assignment to Homan Square?</p> <p>5 A. I was on furlough around</p> <p>6 Christmas. I don't know the exact date.</p> <p>7 Usually I come back after New Year's, and I</p> <p>8 went back to Area 5 for a couple of months</p> <p>9 because there was really no one there to</p> <p>10 keep the organization and do the reports</p> <p>11 before they were merging with Area 3.</p> <p>12 So I was there for a little</p> <p>13 while before I went to Fugitives, Central</p> <p>14 Investigations, for maybe like, I want to</p> <p>15 say, about two months.</p> <p>16 Q. Tell me what your duties and</p> <p>17 responsibilities were once you were assigned</p> <p>18 to Fugitive Apprehension?</p> <p>19 A. It was a lot of work. Originally,</p> <p>20 Commander Salemme, I was working just for</p> <p>21 Lieutenant Cesario to develop some sort of</p> <p>22 way of keeping track of who had what</p> <p>23 assignments. There was no actual physical</p> <p>24 way of knowing who had what jobs, like</p> |

| Page 19 | Page 21 |
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| <p>1 assigning warrants and investigative alerts. 2 So if you wanted to know who 3 had that job, you would be like, okay, who 4 at north had that job? There was no 5 specific person documented to be able to ask 6 questions about, I guess, as a supervisor in 7 regards to certain investigative alerts or 8 warrants. 9 So when we first got there, I 10 had to help develop a database in Access, 11 Microsoft Access. So it wasn't -- 12 MS. DAVIS: There is no question 13 pending. 14 BY MR. TAREN: 15 Q. Okay. Well, yeah, there is. The 16 question is what your duties and 17 responsibilities were? 18 What else? So you were 19 developing this database in Microsoft 20 Access. And do I understand that that 21 database was to help keep track of the 22 assignments? 23 A. Yes, pretty much. 24 Q. You were working with Lieutenant</p> | <p>1 investigative alerts. 2 Q. And can you tell me how your 3 duties changed in that regard? 4 A. Yes. So we could -- now going 5 back, remember, there were five areas. 6 Q. Right. 7 A. Now we had to combine north, south 8 and central. There wasn't just five areas. 9 So we had to figure out which area issued an 10 investigative alert. He made us like -- 11 first, he gave us the top five jobs to 12 assign, which would be like homicides, 13 aggravated batteries, robberies, burglaries, 14 and criminal sexual assaults. So we started 15 small before we were able to assign the rest 16 of all the investigative alerts. 17 So whatever came out from our 18 area, like I would run area north. At that 19 point, Jan had south and central. And then 20 we were working on -- at that time more -- I 21 was working more on NATO assignments, so I 22 had a lot of meetings and trying to figure 23 out these things they call like 204's where 24 the officers go to. So I was working more</p> |
| Page 20 | Page 22 |
| <p>1 Cesario on that? 2 A. Yes. 3 Q. With anyone else? 4 A. Jan Hanna. 5 Q. Did you have any responsibility 6 for actually making assignments or making -- 7 either determining who got what assignments 8 or communicating who got what assignments in 9 Fugitive Apprehension? 10 A. At that point, no. 11 Q. By "at that point," we are talking 12 about the beginning of 2012; is that 13 correct? 14 A. Yes. 15 Q. And did that change at some point? 16 A. Yes. 17 Q. When? 18 A. I don't know the exact dates, but 19 Jan and I were each assigned areas because 20 they are divided into area north, south and 21 central. So we were each putting in the 22 information in the database, and then 23 eventually we would assign the investigative 24 alerts, and not the warrants yet, just</p> | <p>1 with NATO, but I was assigning north. 2 Q. Did you work on developing any 3 standards for determining who would get 4 which assignments? 5 A. No, I wouldn't work on those 6 standards. 7 Q. Were there standards? 8 A. There were standards who got what 9 type of assignments? 10 Q. Yes. That's what I am asking. 11 Were those standards in writing? 12 A. No. 13 Q. Did you ever see a general order 14 or a memo that detailed the standards or 15 parameters for determining which officers 16 would be given specific assignments? 17 A. No. 18 Q. Well, then who did develop the 19 standards for making those determinations? 20 A. The bosses. 21 Q. And that would be 22 Lieutenant Cesario and Commander Salemme; is 23 that correct? 24 A. Yes.</p> |

| Page 23 | Page 25 |
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| <p>1 Q. Can you tell me what you recall 2 about what those standards were? And we are 3 talking about during 2012. 4 A. 2012. 5 We had certain members that 6 were assigned to a Marshal, the U.S. 7 Marshals. They were called TFOs. 8 Q. These were officers that were 9 deputized for the marshals? 10 A. Yes. 11 Q. Okay. 12 A. And they would get most of the top 13 five jobs, especially homicides and agg 14 bats. And then we had one full marshal team 15 that did like the sex crimes. 16 Q. Were you specifically told that 17 the top five jobs went to TFOs? 18 A. Yes. 19 Q. Who told you that? 20 A. Lieutenant Cesario. 21 Q. Did he tell you why? 22 A. I didn't really understand it at 23 first, but I guess I think the marshals 24 select people to work with them, and then</p> | <p>1 Q. Did either of those officers 2 become TFOs during the time that you were at 3 Fugitive Apprehension? 4 A. When I was in Fugitives? 5 Q. Yes. 6 A. No. I mean, I am still part of 7 Central Investigations. I just don't work 8 with Fugitives anymore. We have several 9 units in our unit now. 10 Q. What unit are you working with 11 now? 12 A. They are still in that unit. I am 13 just -- instead of just being an admin 14 person in Fugitive Apprehension, I am now an 15 admin person for the commanders or front 16 office. 17 Q. What commanders are you working 18 with right now? 19 A. Right now, we don't have a 20 commander. We have an acting commanding 21 officer. Lieutenant Warren Richards. 22 Q. Was Jan Hanna's duties similar to 23 yours just in 2012? 24 A. Yes, similar.</p> |
| Page 24 | Page 26 |
| <p>1 there is like a -- I think they reimburse 2 the City for their overtime. So I think 3 they are able to go from county to county. 4 They can even -- they are federal officers, 5 so they can work with other states and 6 counties. Whereas if we had an offender 7 here who went to Indiana, they would be able 8 to work to get that offender in Indiana, 9 from what I understand. 10 Q. Do you know how an officer became 11 deputized? How did that take place in 2012? 12 A. No. 13 Q. Of the officers you worked with 14 back in the first half of 2012, how many 15 approximately were TFOs and how many were 16 not? 17 A. I don't recall the number. 18 Q. Do you recall any officers who 19 were not TFOs? 20 A. I remember two because they were 21 on my north team. 22 Q. Who was that? 23 A. Rubin Devalia and Jeff Frelip 24 (phonetic).</p> | <p>1 Q. Was the primary difference the 2 area that you were dealing with? I think 3 you mentioned that you were handling north 4 and Jan was handling central and south? 5 A. And then there were -- well, there 6 were different reports that I would do that 7 she didn't do. There was -- 8 Q. Tell me what the difference was 9 between your duties and responsibilities 10 during 2012 between you and Ms. Hanna? 11 A. Between me and Ms. Hanna? 12 Q. Yes. 13 A. I handle also -- there was a -- we 14 had like concentrated districts, so we had 7 15 and 11, which specific officers were 16 assigned those districts, so they always got 17 those jobs. We had one TFO that was in that 18 group. 19 Q. Who was that? 20 A. Charlie Garcia. So if something 21 out of the top five happened, Charlie would 22 probably be the first one to get that job. 23 And then they have to arrest -- like 24 different investigative alerts would come</p> |

| Page 27 | Page 29 |
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| <p>1 out. Everybody who assigned those, Jan 2 didn't have to deal with 7, 11 reports. She 3 would assign her seven people, but then I 4 would do the reports for CompStat. That's 5 the meeting they have every Thursday. 6 So they were -- when it came 7 to the administrative parts of doing 8 scheduling days off, or anything like that, 9 that would fall on me. That wouldn't be 10 Jan's. 11 Q. I understand. 12 A. I am more of an administrative 13 person, I guess, than a fugitive person. 14 Q. In March of 2012 through June, 15 let's say, how often did you meet with 16 Lieutenant Cesario? 17 A. Did I meet with him like 18 one-on-one? 19 Q. Was it daily? 20 A. He was there every day, yes. 21 Q. Did you have contact with him 22 throughout the day? 23 A. Yes. 24 Q. And excuse my ignorance here,</p> | <p>1 Q. Just the two of them, or am I 2 missing something? Were they meeting with 3 somebody else? 4 A. The whole department heads. It's 5 a meeting for all of the bosses, for all of 6 the department bosses. 7 Q. Would you provide any of the data 8 to Lieutenant Cesario or Commander Salemme 9 for the purpose of those meetings? 10 A. Yes, to Lieutenant Cesario, and 11 then it would be compiled for the commander. 12 Q. When did you first meet either 13 Shannon Spalding or Danny Echeverria? 14 A. I don't know the exact date when 15 they came to the unit. There were two 16 people who were leaving the unit, and then 17 they were coming into the unit. 18 Q. Who was it that was leaving? 19 A. Kim and Kyle. 20 Q. Just so I am clear, you had not 21 met either Shannon or Danny before they came 22 to the Fugitive Apprehension; is that 23 correct? 24 A. I didn't remember until I was</p> |
| Page 28 | Page 30 |
| <p>1 explain to me what the CompStat meetings 2 are? 3 A. That's a superintendent meeting 4 where he gathers statistics about each area 5 and wants to discuss the concentration, I 6 guess, and the arrests, and what the 7 officers are doing in that area. 8 Q. Tell me who would customarily 9 attend those meetings. 10 A. Commander Salemme and Lieutenant 11 Cesario. Sometimes sergeants would go, I 12 guess. 13 Q. Sergeant Barnes, would he go? 14 A. I don't know if he went. But some 15 of the sergeants if they needed advice, I 16 guess, they would go with them. 17 Q. Did you attend those meetings? 18 A. No. 19 Q. Do you know if Jan did? 20 A. No. 21 Q. Are you telling me that those 22 CompStat meetings were just Salemme and 23 Cesario? 24 A. Pretty much.</p> | <p>1 talking to Danny that I met him when I was a 2 teenager. 3 Q. But you weren't in the police 4 department at that time? 5 A. No. 6 Q. This was a casual meeting that you 7 had? 8 A. Mutual. He worked with my best 9 friend. 10 Q. Prior to either Ms. Spalding or 11 Mr. Echeverria actually reporting to 12 Fugitive Apprehension, had you heard 13 anything about them coming to the unit? 14 A. I was just told Kim and Kyle were 15 leaving, and we are getting two more 16 officers. 17 Q. Who told you that? 18 A. First person who told me was Jan 19 Hanna, and then Lieutenant Cesario 20 reaffirmed that, yes, we are getting two 21 more people, and Kim and Kyle were going 22 back to the 25th District. 23 Q. You say the first person who told 24 you that was Jan Hanna. Did she identify</p> |

| Page 31 | Page 33 |
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| <p>1 the people who were coming by name?</p> <p>2 A. No. She just said two people when</p> <p>3 I first heard it.</p> <p>4 Q. Did she tell you why Kim and Kyle</p> <p>5 were leaving?</p> <p>6 A. Because we didn't have a third</p> <p>7 watch, and they wanted to go back. They</p> <p>8 wanted to go back to their tact team in 25.</p> <p>9 Q. Did Jan Hanna tell you anything</p> <p>10 about where the two new officers were coming</p> <p>11 from?</p> <p>12 A. No.</p> <p>13 Q. And you just said that Lieutenant</p> <p>14 Cesario confirmed that. Was that in the</p> <p>15 same conversation or a different one?</p> <p>16 A. We had like a kitchenette so Jan</p> <p>17 sat next to me and said, "oh, we are getting</p> <p>18 two more people." And I said to Lieutenant</p> <p>19 Cesario, I said, "Lieutenant, are we getting</p> <p>20 two more people?" And he said, "yes." And</p> <p>21 I said, "What team are they going on?" And</p> <p>22 he said, "south." And I said, "oh, okay."</p> <p>23 Q. Nothing else in that conversation?</p> <p>24 A. It wouldn't be any concern of</p> | <p>1 later in the day.</p> <p>2 Q. And that would have been before</p> <p>3 they actually showed up for their</p> <p>4 assignment, is that what you are saying?</p> <p>5 A. Uh-huh.</p> <p>6 Q. Yes?</p> <p>7 A. Yes. I'm sorry.</p> <p>8 Q. Was it part of the same</p> <p>9 conversation you were just telling us about?</p> <p>10 A. No. It was later.</p> <p>11 Q. And it was that same day?</p> <p>12 A. Uh-huh. Yes. Sorry.</p> <p>13 Q. Who was present when you had that</p> <p>14 conversation with Jan?</p> <p>15 A. Jan.</p> <p>16 Q. And tell me more specifically what</p> <p>17 you recall her saying to you, and what you</p> <p>18 said back to her with regard to her trying</p> <p>19 to figure out where they were coming from?</p> <p>20 A. She -- I wore headphones a lot</p> <p>21 because I didn't really -- I wanted to get</p> <p>22 my work done, so I didn't want to -- I</p> <p>23 wasn't big into the chatter of everybody.</p> <p>24 And I just said, I asked her eventually, do</p> |
| Page 32 | Page 34 |
| <p>1 mine.</p> <p>2 MS. DAVIS: Just answer his</p> <p>3 question.</p> <p>4 THE WITNESS: Oh, in that</p> <p>5 conversation? No.</p> <p>6 BY MR. TAREN:</p> <p>7 Q. And did Lieutenant Cesario tell</p> <p>8 you anything in that conversation about</p> <p>9 where Officers Spalding or Echeverria had</p> <p>10 previously been assigned?</p> <p>11 A. No.</p> <p>12 Q. Did you have any other</p> <p>13 conversations with anyone about the two new</p> <p>14 officers, Spalding and Echeverria, before</p> <p>15 they actually started their assignment?</p> <p>16 A. Just Jan.</p> <p>17 Q. What other conversations did you</p> <p>18 have with Jan about them?</p> <p>19 A. She was trying to figure out where</p> <p>20 they came from. And she said, "Oh, I think</p> <p>21 they are from medical integrity, IAD."</p> <p>22 Q. When did you have that</p> <p>23 conversation?</p> <p>24 A. Probably within the same day,</p> | <p>1 you know -- or she said, "Do you know where</p> <p>2 they are coming from?" And I said, "no." I</p> <p>3 don't the exact conversation. But she said,</p> <p>4 "I believe they are coming from medical</p> <p>5 integrity, IAD." And I said, "oh."</p> <p>6 Q. What did you understand her to</p> <p>7 mean by that?</p> <p>8 A. That's where she thought that they</p> <p>9 were coming from.</p> <p>10 Q. Was she -- when you had that --</p> <p>11 MS DAVIS: Let him finish his</p> <p>12 question before you answer.</p> <p>13 BY MR. TAREN:</p> <p>14 Q. When you had that conversation,</p> <p>15 were you looking at some documents?</p> <p>16 A. No.</p> <p>17 Q. Did she indicate to you where she</p> <p>18 was getting her information from?</p> <p>19 A. No.</p> <p>20 Q. Do you know whether she had talked</p> <p>21 to Lieutenant Cesario about where Shannon</p> <p>22 and Danny had been coming from?</p> <p>23 A. No.</p> <p>24 Q. Do you think she just pulled this</p> |

| Page 35 | Page 37 |
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| <p>1 out of the air?</p> <p>2 A. I don't get into people's</p> <p>3 business. So if --</p> <p>4 MS. DAVIS: Answer his question.</p> <p>5 THE WITNESS: Pulling it out of</p> <p>6 the air? No.</p> <p>7 BY MR. TAREN:</p> <p>8 Q. Did you ask her any questions</p> <p>9 about Danny or Shannon at that time?</p> <p>10 A. No.</p> <p>11 Q. When did you first have a</p> <p>12 conversation with Lieutenant Cesario about</p> <p>13 either Shannon Spalding or Danny Echeverria?</p> <p>14 A. I don't recall the exact time.</p> <p>15 Q. Well, in relation to the</p> <p>16 conversation you just recounted from Jan</p> <p>17 Hanna, when was it? Was it hours? Days?</p> <p>18 Weeks?</p> <p>19 A. Probably just to find out the date</p> <p>20 of their arrival. And like I said, to make</p> <p>21 sure whose team they were going to be</p> <p>22 working for on the jobs.</p> <p>23 Q. After your conversation with Jan</p> <p>24 Hanna but before they arrived, you did have</p> | <p>1 A. Yes.</p> <p>2 Q. Did he tell you when they were</p> <p>3 going to start?</p> <p>4 A. Yes.</p> <p>5 Q. What did he say?</p> <p>6 A. I don't recall exactly what he</p> <p>7 said. He said the day that they were going</p> <p>8 to start. I don't remember the exact date,</p> <p>9 but he told me the day that they were</p> <p>10 starting.</p> <p>11 Q. Did he tell you anything else</p> <p>12 about them at that time?</p> <p>13 A. No.</p> <p>14 Q. Did you ask him any questions</p> <p>15 about them?</p> <p>16 A. No.</p> <p>17 Q. Did you ask where they had come</p> <p>18 from?</p> <p>19 A. No.</p> <p>20 Q. When was the next time you had a</p> <p>21 conversation with Lieutenant Cesario about</p> <p>22 Danny or Shannon?</p> <p>23 A. Probably not until they were</p> <p>24 assigned to the north team.</p> |
| Page 36 | Page 38 |
| <p>1 some discussion with Lieutenant Cesario</p> <p>2 about Officers Spalding and Echeverria; is</p> <p>3 that correct?</p> <p>4 A. Yes. With Jan, too.</p> <p>5 Q. I understand. But right now I am</p> <p>6 asking about Lieutenant Cesario.</p> <p>7 A. Are you talking about a one-on-one</p> <p>8 with him about them?</p> <p>9 Q. No. You could have been present.</p> <p>10 Why don't you tell me who was present when</p> <p>11 you first spoke with Lieutenant Cesario</p> <p>12 about anything to do with Shannon or Danny?</p> <p>13 MS. DAVIS: You mean other than</p> <p>14 what she's already testified about?</p> <p>15 MR. TAREN: Yes.</p> <p>16 THE WITNESS: Anybody else there?</p> <p>17 BY MR. TAREN:</p> <p>18 Q. Yes.</p> <p>19 A. Nobody.</p> <p>20 Q. You just told me you had some</p> <p>21 conversation with Lieutenant Cesario. You</p> <p>22 had to find out, among other things, when</p> <p>23 Danny and Shannon were going to start,</p> <p>24 correct?</p> | <p>1 Q. When was that?</p> <p>2 A. I don't remember the dates, but it</p> <p>3 was later than --</p> <p>4 Q. It was months later?</p> <p>5 A. Months later they were assigned.</p> <p>6 Q. Are you telling me that between</p> <p>7 the conversation that you had with</p> <p>8 Lieutenant Cesario where he told you when</p> <p>9 Shannon and Danny were going to start, the</p> <p>10 next time you had any conversations with</p> <p>11 Cesario was after they had -- the</p> <p>12 plaintiffs, Danny and Shannon, had been</p> <p>13 assigned to the north team; is that correct?</p> <p>14 A. Yes.</p> <p>15 Q. Did you ever overhear Lieutenant</p> <p>16 Cesario talking to anyone else about Danny</p> <p>17 or Shannon?</p> <p>18 A. No.</p> <p>19 Q. Did Lieutenant Cesario ever tell</p> <p>20 you that either Shannon or Danny had</p> <p>21 previously been from IAD?</p> <p>22 A. No.</p> <p>23 Q. Did Lieutenant Cesario ever</p> <p>24 caution you to be leery of Danny or Shannon?</p> |

| Page 39 | Page 41 |
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| <p>1 A. No.</p> <p>2 Q. Did you ever hear him caution</p> <p>3 anyone to be leery of Danny or Shannon?</p> <p>4 A. No.</p> <p>5 Q. Did you ever hear Lieutenant</p> <p>6 Cesario refer to either Danny or Shannon as</p> <p>7 a rat?</p> <p>8 A. No.</p> <p>9 Q. Did you ever hear him make that</p> <p>10 statement to anyone?</p> <p>11 A. No.</p> <p>12 Q. Now, you initially told me about</p> <p>13 Jan asking -- or telling you that she</p> <p>14 thought that the plaintiffs had come from</p> <p>15 IAD. Did you have more than one discussion</p> <p>16 with Jan about anything to do with where</p> <p>17 either Danny or Shannon had previously been</p> <p>18 assigned?</p> <p>19 A. Not that I recall.</p> <p>20 Q. So it was just the -- is it your</p> <p>21 sworn testimony that the only conversation</p> <p>22 you ever had with Jan Hanna concerning</p> <p>23 Ms. Spalding or Mr. Echeverria's prior</p> <p>24 assignment was that remark that she made</p> | <p>1 MR. TAREN: I am here to ask</p> <p>2 questions.</p> <p>3 MS. DAVIS: Don't get loud with</p> <p>4 me. Don't raise your voice at me.</p> <p>5 MR. TAREN: If you have an</p> <p>6 objection -- I am not raising my voice.</p> <p>7 MS. DAVIS: You were.</p> <p>8 MR. TAREN: Then please make the</p> <p>9 objection.</p> <p>10 MS. DAVIS: And I would. She</p> <p>11 didn't understand the question.</p> <p>12 MR. TAREN: If you continue to</p> <p>13 make speaking objections, we are going to</p> <p>14 terminate the deposition, we will get to</p> <p>15 Judge Feinerman, and we will have to have a</p> <p>16 supervisor.</p> <p>17 MS. DAVIS: I told you don't yell</p> <p>18 at me, so don't yell at me. If she said she</p> <p>19 didn't understand the question, you have to</p> <p>20 repeat the question. She was getting ready</p> <p>21 to ask you a question, and she is not</p> <p>22 supposed to do that.</p> <p>23 MR. TAREN: You are interrupting</p> <p>24 the witness in mid-answer and that is</p> |
| Page 40 | Page 42 |
| <p>1 before they arrived saying that she believed</p> <p>2 they were coming from medical integrity,</p> <p>3 IAD?</p> <p>4 A. No, that's not the only</p> <p>5 conversation I had.</p> <p>6 Q. Okay. How many conversations did</p> <p>7 you have with her?</p> <p>8 A. I asked -- well --</p> <p>9 Q. You asked what?</p> <p>10 MS. DAVIS: Do you understand the</p> <p>11 question?</p> <p>12 THE WITNESS: No. Sorry.</p> <p>13 Are you trying to find out --</p> <p>14 MS. DAVIS: Let him rephrase his</p> <p>15 question.</p> <p>16 MR. TAREN: Would you stop</p> <p>17 interrupting the witness.</p> <p>18 MS. DAVIS: I am not interrupting</p> <p>19 the witness. She said she didn't</p> <p>20 understand.</p> <p>21 MR. TAREN: Yes, you are. You</p> <p>22 interrupted her about five times now.</p> <p>23 MS. DAVIS: She doesn't</p> <p>24 understand.</p> | <p>1 inappropriate. So I am going to ask you to</p> <p>2 please just if you have an objection, raise</p> <p>3 your objection, do not make a speaking</p> <p>4 objection. That is not allowed under the</p> <p>5 Northern District Rules.</p> <p>6 MS. DAVIS: I am fully aware of</p> <p>7 the Northern District Rules.</p> <p>8 MR. TAREN: Would you read back</p> <p>9 the last question, please.</p> <p>10 (Whereupon, the record was</p> <p>11 read as requested.)</p> <p>12 MR. TAREN: I will rephrase the</p> <p>13 question.</p> <p>14 BY MR. TAREN:</p> <p>15 Q. You told us about a conversation</p> <p>16 you had with Jan Hanna before either</p> <p>17 Ms. Spalding or Mr. Echeverria actually came</p> <p>18 to Fugitive Apprehension, and my question</p> <p>19 is: How many times did you have discussions</p> <p>20 with Jan Hanna that had anything to do with</p> <p>21 where Ms. Spalding or Mr. Echeverria had</p> <p>22 been assigned prior to Fugitive</p> <p>23 Apprehension?</p> <p>24 A. I don't recall all the times, but</p> |

| Page 43 | Page 45 |
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| <p>1 there were a couple, a few.</p> <p>2 Q. When was the next conversation you</p> <p>3 recall subsequent to the one that you</p> <p>4 already testified to?</p> <p>5 A. After I met them; Shannon and Dan.</p> <p>6 Q. Tell me about that conversation?</p> <p>7 Who was present?</p> <p>8 A. Jan, Dan and Shannon.</p> <p>9 Q. Do you recall when that took</p> <p>10 place?</p> <p>11 A. Either the first or second day</p> <p>12 they were there.</p> <p>13 Q. Where did it take place?</p> <p>14 A. In the fugitive office -- well,</p> <p>15 it's like an open area, fugitives. It's a</p> <p>16 big open atrium type area where everybody is</p> <p>17 at.</p> <p>18 Q. Tell me what you recall about what</p> <p>19 each party to the conversation said?</p> <p>20 A. It's not word for word, but I can</p> <p>21 tell you what I remember in the</p> <p>22 conversation.</p> <p>23 Q. That's fine.</p> <p>24 A. They, obviously, introduced</p> | <p>1 Q. Any other joking that you recall?</p> <p>2 A. That day?</p> <p>3 Q. Correct.</p> <p>4 A. Probably laughing, showing them</p> <p>5 where the lockers were, and the girls'</p> <p>6 bathroom and just things like that. It was</p> <p>7 just conversation, joking, a lot of joking</p> <p>8 going on.</p> <p>9 Q. Did Jan participate in the joking?</p> <p>10 A. Yes.</p> <p>11 Q. Do you recall anything she said?</p> <p>12 A. Jan is a bold person. So I don't</p> <p>13 recall specifics of what she said. It was</p> <p>14 just a lot of laughing.</p> <p>15 Q. Do you recall her saying anything</p> <p>16 to the effect that so you two are the IAD</p> <p>17 rats?</p> <p>18 A. You two are from IAD. I remember</p> <p>19 that.</p> <p>20 Q. Do you remember Jan saying that?</p> <p>21 A. Jan saying that.</p> <p>22 Q. I thought you just said that you</p> <p>23 made a statement?</p> <p>24 A. I asked Jan -- you said during the</p> |
| Page 44 | Page 46 |
| <p>1 themselves. Shannon asked me, do you know</p> <p>2 where I am from, which kind of, I was like,</p> <p>3 hearing from Jan, I said, oh, IAD, medical</p> <p>4 integrity unit? And she said, no, I am from</p> <p>5 narcotics. And I said, oh.</p> <p>6 We were just pretty much</p> <p>7 welcoming them here. They asked me how I</p> <p>8 got there. And I said, I was Commander</p> <p>9 Salemme's secretary before, and that they</p> <p>10 had closed the area, and I came there, and I</p> <p>11 asked if Jan could come with to help me with</p> <p>12 the database.</p> <p>13 Q. Okay.</p> <p>14 A. And then there is a lot of joking</p> <p>15 there. And I said, how did you guys get</p> <p>16 here? And she said, oh, Uncle Gar. So I</p> <p>17 thought, superintendent is your uncle? You</p> <p>18 know, I was -- there was, like I said, a lot</p> <p>19 of joking, and pretty much that was the</p> <p>20 conversation. No, he is not my uncle. It's</p> <p>21 just a joke, you know. There was no --</p> <p>22 Q. It was a friendly conversation?</p> <p>23 A. Yes, it was very friendly</p> <p>24 conversation.</p> | <p>1 joking part about, oh, you are not from IAD,</p> <p>2 maybe Jan said something like that. But,</p> <p>3 yes, I asked -- Shannon asked me do you know</p> <p>4 where I am from? And I said previously, to</p> <p>5 hearing Jan saying IAD, medical integrity</p> <p>6 unit. And I said, oh, IAD, medical</p> <p>7 integrity unit? And she said, no, we are</p> <p>8 from narcotics.</p> <p>9 Q. So in this conversation, you don't</p> <p>10 have any recollection of anyone saying that</p> <p>11 included the words "IAD rats"?</p> <p>12 A. No, I don't remember that.</p> <p>13 Q. When was the next conversation you</p> <p>14 recall that had anything to do with where</p> <p>15 Ms. Spalding or Mr. Echeverria had been</p> <p>16 previously assigned?</p> <p>17 A. I don't -- I don't recall any, or</p> <p>18 being involved in any discussion, or</p> <p>19 overhearing any conversations, discussions.</p> <p>20 Q. So that the record is clear then,</p> <p>21 the only time you were present for any</p> <p>22 discussion in which it was mentioned that</p> <p>23 Ms. Spalding or Mr. Echeverria may have been</p> <p>24 in IAD before coming to Fugitive</p> |

| Page 47 | Page 49 |
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| <p>1 Apprehension was the one conversation with</p> <p>2 Jan prior to the plaintiffs' arrival, and</p> <p>3 then this conversation when you first met</p> <p>4 them; is that correct?</p> <p>5 A. As far as I can recall.</p> <p>6 Q. Now, did you ever have any</p> <p>7 conversations with anyone else other than</p> <p>8 Jan Hanna or Danny or Shannon about whether</p> <p>9 or not either of them had been in IAD?</p> <p>10 A. Not that I recall.</p> <p>11 Q. Is it possible?</p> <p>12 A. I don't know. It's a long time</p> <p>13 ago.</p> <p>14 Q. But I am asking that because you</p> <p>15 seemed a little unsure of yourself with</p> <p>16 regard to this answer.</p> <p>17 A. I am trying to think back. Well,</p> <p>18 you are asking me -- like I said, that's not</p> <p>19 a big part of my life. I don't -- it's not</p> <p>20 a concern of mine where people come from.</p> <p>21 Q. Let me ask this: Did you think at</p> <p>22 the time that it was unusual that you had</p> <p>23 been told that Danny and Shannon had been in</p> <p>24 medical integrity IAD, and then Shannon said</p> | <p>1 A. She doesn't talk to me anymore.</p> <p>2 Q. When did that start?</p> <p>3 A. When she was on TV. She did</p> <p>4 before that.</p> <p>5 Q. So before that happened -- and</p> <p>6 that has to do with this case, correct?</p> <p>7 A. Yes.</p> <p>8 Q. (Continuing -- the two of you had</p> <p>9 a good relationship; is that correct?</p> <p>10 A. Yes.</p> <p>11 Q. So what is it in general that she</p> <p>12 said to you you just didn't recall the</p> <p>13 specifics of?</p> <p>14 A. I don't know the specifics, just</p> <p>15 in general of them coming from IAD or be</p> <p>16 careful, but that was clarified when she</p> <p>17 told me she came from narcotics.</p> <p>18 Q. So tell me, when did she tell you</p> <p>19 to be careful?</p> <p>20 A. Not be careful, but I guess watch</p> <p>21 what you say specifically.</p> <p>22 Q. When did she say that to you?</p> <p>23 A. Probably around the day that she</p> <p>24 told me they were from IAD.</p> |
| Page 48 | Page 50 |
| <p>1 that she had come from narcotics?</p> <p>2 A. What's the question?</p> <p>3 Q. Did you think that -- did that</p> <p>4 raise some question in your mind at the time</p> <p>5 where did they really come from?</p> <p>6 A. No.</p> <p>7 Q. Did you ever make any effort to</p> <p>8 ask or inquire on your own of about where</p> <p>9 their prior assignments had been?</p> <p>10 A. No.</p> <p>11 Q. Did anyone ever warn you to be</p> <p>12 leery of Danny or Shannon?</p> <p>13 A. Warn me?</p> <p>14 Q. Correct.</p> <p>15 A. No.</p> <p>16 Q. Did you ever hear anyone warn</p> <p>17 anyone else about Danny or Shannon?</p> <p>18 A. I don't recall specifics, no.</p> <p>19 Q. Well, what do you recall, even if</p> <p>20 it's in general?</p> <p>21 A. Maybe Jan speaking about it. But</p> <p>22 that's about -- I sat next to her all day</p> <p>23 for eight hours.</p> <p>24 Q. By the way, you two get along?</p> | <p>1 Q. So now you are recalling something</p> <p>2 more than you initially told us?</p> <p>3 A. I would think, well, digging into</p> <p>4 it, this was probably part of that</p> <p>5 conversation there.</p> <p>6 Q. Did you say anything back to her</p> <p>7 when she told you to be careful, they are</p> <p>8 from IAD?</p> <p>9 A. Not that I recall.</p> <p>10 Q. Did you ever ask Lieutenant</p> <p>11 Cesario anything about that?</p> <p>12 A. No.</p> <p>13 Q. Is there anything else that you</p> <p>14 now recall about your conversations with</p> <p>15 either Jan Hanna or anyone else about where</p> <p>16 Danny and Shannon had come from prior to</p> <p>17 Fugitive Apprehension?</p> <p>18 A. Wait, I'm sorry. Is that the same</p> <p>19 question you were just asking a few minutes?</p> <p>20 Q. I just want to make sure there is</p> <p>21 nothing else that you remember that you</p> <p>22 didn't initially remember?</p> <p>23 A. No. There is nothing that I can</p> <p>24 specifically recall than what I pretty much</p> |

| Page 51 | Page 53 |
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| <p>1 told you.</p> <p>2 Q. Did you ever try to access any</p> <p>3 databases to find out what their prior</p> <p>4 assignment had been?</p> <p>5 A. No.</p> <p>6 Q. When did you first have any</p> <p>7 conversations with Lieutenant Cesario about</p> <p>8 assignments to be given to Ms. Spalding or</p> <p>9 Mr. Echeverria?</p> <p>10 A. I think one time Jan might have</p> <p>11 gone, or she was off, and I had to do her</p> <p>12 assignments.</p> <p>13 Q. Do you recall when that was?</p> <p>14 A. No, I don't.</p> <p>15 Q. And tell me what you had to do</p> <p>16 with regard to assignments for Ms. Spalding</p> <p>17 or Mr. Echeverria?</p> <p>18 A. Might have been a robbery or</p> <p>19 burglary assignment or something because --</p> <p>20 I don't know the exact assignments. I don't</p> <p>21 know. I don't.</p> <p>22 Q. But did you have a conversation</p> <p>23 with Lieutenant Cesario something to do</p> <p>24 about the assignments for either Shannon or</p> | <p>1 Danny or Shannon?</p> <p>2 A. You just asked me. I don't</p> <p>3 recall.</p> <p>4 Q. To your knowledge, do you know who</p> <p>5 selected the assignments that were to be</p> <p>6 given to Danny or Shannon?</p> <p>7 A. What do you mean by selected?</p> <p>8 Q. Who made the determinations?</p> <p>9 A. When they are on the team that you</p> <p>10 are dealing with, you give out the</p> <p>11 assignments. You just keep going down the</p> <p>12 line unless it's a top five assignment, you</p> <p>13 are supposed to give that to a TFO.</p> <p>14 Q. I'm sorry, I may have asked you</p> <p>15 this before. Have you ever seen anything in</p> <p>16 writing that instructs you or Ms. Hanna to</p> <p>17 give top five assignments only to TFOs?</p> <p>18 MS. DAVIS: Objection; asked and</p> <p>19 answered.</p> <p>20 MR. TAREN: You can answer.</p> <p>21 THE WITNESS: No, I didn't see</p> <p>22 anything in writing.</p> <p>23 BY MR. TAREN:</p> <p>24 Q. Have you ever assigned a non-TFO a</p> |
| Page 52 | Page 54 |
| <p>1 Danny; is that correct?</p> <p>2 A. Yes.</p> <p>3 Q. What do you recall about that</p> <p>4 conversation? Anything?</p> <p>5 A. I don't recall. That's -- nothing</p> <p>6 that would stand out in my mind.</p> <p>7 Q. Did you eventually make an</p> <p>8 assignment to Spalding or Echeverria instead</p> <p>9 of because --</p> <p>10 A. Back then? Or when?</p> <p>11 Q. Back then when Ms. Hanna was gone.</p> <p>12 A. I am sure I did.</p> <p>13 Q. Do you recall what kind of</p> <p>14 assignment it was?</p> <p>15 A. No, I don't recall.</p> <p>16 Q. Did you ever have any</p> <p>17 conversations with Jan Hanna about what</p> <p>18 kinds of assignments were to be given to</p> <p>19 Shannon or Danny?</p> <p>20 A. Not that I recall what kind of</p> <p>21 assignments, no, not that I remember.</p> <p>22 Q. Did you ever have any</p> <p>23 conversations with Lieutenant Cesario about</p> <p>24 what kind of assignments should be given to</p> | <p>1 top five assignment?</p> <p>2 A. Yes.</p> <p>3 Q. On how many occasions?</p> <p>4 A. I don't know. I can't recall how</p> <p>5 many occasions.</p> <p>6 Q. More than ten?</p> <p>7 A. I haven't done it in a long time.</p> <p>8 I don't -- it's not something that would</p> <p>9 just pop out at me. If you gave me the</p> <p>10 information of assignments, I could tell you</p> <p>11 which ones I assigned. It's been a long</p> <p>12 time.</p> <p>13 Q. Do you recall the circumstances</p> <p>14 behind any assignments of a top five to a</p> <p>15 non-TFO?</p> <p>16 A. If there were TFOs available on</p> <p>17 that area, yes.</p> <p>18 Q. So there was no restriction of</p> <p>19 giving a top five assignment to an officer</p> <p>20 who was not a TFO; is that correct?</p> <p>21 A. There is no restriction. It was</p> <p>22 in my bosses being directed, I guess. It's</p> <p>23 their unit. They are the boss.</p> <p>24 Q. Did you ever observe a top five</p> |

| Page 55 | Page 57 |
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| <p>1 assignment being pulled from someone because 2 they were not a TFO? 3 A. A top five assignment? Are you 4 talking about someone in specific? 5 Q. Anyone. 6 A. Yes, I do. 7 Q. Who? 8 A. I remember Shannon and Danny. 9 Q. Tell me what you recall about 10 that? 11 A. I believe it was a job that they 12 got assigned, and somebody else had already 13 called the sergeant and said that they were 14 working on that case with the detectives, if 15 they could get that assignment, and then the 16 sergeant called -- I don't remember if it 17 was me or Jan -- and told them to reassign 18 it to the TFO who has been working with the 19 detectives. 20 Q. Who called to request that? 21 A. I want to say -- I think it was 22 Sergeant Barnes. 23 Q. Do you recall whether Sergeant 24 Barnes called you or Jan?</p> | <p>1 Q. But are you referring to another 2 assignment that was -- 3 MS DAVIS: You have to let him 4 finish. 5 BY MR. TAREN: 6 Q. Yes. 7 A. I'm sorry, I'm sorry. 8 Q. Are you referring to another 9 assignment that was given to Danny or 10 Shannon and was later pulled, a second one? 11 A. I don't recall if it was the same 12 one. 13 Q. All right. 14 A. It might have been the same. 15 Because if somebody is working on something, 16 and they previously worked on it, we usually 17 assign that to the same person. Like if 18 there is a warrant or investigative alert, 19 we will assign -- if they are already 20 working on it, it might be the same person. 21 I don't know. 22 Q. I know it sounds a little 23 confusing. It does to me. 24 So this may have been the same</p> |
| Page 56 | Page 58 |
| <p>1 A. I don't recall. I don't recall. 2 I thought it was -- I answered the phone, 3 and he spoke with Jan. 4 Q. And are you aware of this because 5 of something Jan told you or because of 6 something you overheard? 7 A. Because I overheard Jan saying, I 8 have to reassign this job. 9 Q. So Jan -- your understanding is 10 Jan was instructed by Sergeant Barnes to 11 reassign the job; is that correct? 12 A. Yes. 13 Q. Was this a homicide? 14 A. I think I assigned them something 15 once also. And I -- I might have assigned 16 it, and then Jan assigned it. And it was 17 just a -- somebody was working on it 18 already. I know there was one that I 19 assigned, I think, on -- because I assigned 20 my stuff -- I was doing both assignments, 21 too. I mean, Jan did that -- that happened 22 with Jan before, but it happened with me 23 before. I don't remember if it was a 24 homicide.</p> | <p>1 assignment you are referring to, but I 2 thought you said that it was Jan who made 3 the assignment? 4 A. I am not sure if it was Jan who 5 made it. You have to find the paperwork. I 6 don't know. 7 Q. That's a good point. What 8 paperwork would there be? 9 A. The assignment. The paperwork in 10 the database. 11 Q. Would that indicate whether it was 12 you or Jan that made the assignment? 13 A. Yes. 14 Q. Do you know the name of the 15 arrestee. Do you recall that? 16 A. No, I don't recall that. 17 Q. Are you telling me that -- I know 18 you told me it was Sergeant Barnes who made 19 the phone call saying that this case needed 20 to be reassigned because someone had 21 previously worked it, correct? 22 A. Yes. 23 Q. Did he tell you -- do you recall 24 who it was that had previously worked that</p> |

| Page 59 | Page 61 |
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| <p>1 assignment?</p> <p>2 A. I am not sure. Maybe -- it's not</p> <p>3 for sure. But I want to say maybe Brandon,</p> <p>4 Brandon Murphy maybe. That's not for sure,</p> <p>5 though.</p> <p>6 Q. When an assignment comes in, how</p> <p>7 would you or Jan know that it had previously</p> <p>8 been worked by another officer? Would there</p> <p>9 be something in the assignment sheet or</p> <p>10 database that would tell you that?</p> <p>11 A. Yes.</p> <p>12 Q. What would that be?</p> <p>13 A. The name and IR number of the</p> <p>14 Defendant.</p> <p>15 Q. What is there about the name and</p> <p>16 the IR number of the defendant that would</p> <p>17 tell you that another officer had worked</p> <p>18 that case?</p> <p>19 A. It would tell me whose case it was</p> <p>20 in there.</p> <p>21 Q. There would be a field?</p> <p>22 A. Yes.</p> <p>23 Q. That would tell you --</p> <p>24 A. Yes, a field.</p> | <p>1 Q. Are you aware of any other top</p> <p>2 five assignments that were first assigned</p> <p>3 and then taken away from an officer other</p> <p>4 than this one that you have been testifying</p> <p>5 about?</p> <p>6 A. Well, sometimes it happened a lot</p> <p>7 on even months when I was doing north, even</p> <p>8 with the TFOs, yes. Like one person would</p> <p>9 be working on it but didn't call and say</p> <p>10 they were working on it, and I assigned it</p> <p>11 to somebody else because I didn't know that</p> <p>12 they were working on it.</p> <p>13 Q. Can you identify any other</p> <p>14 instance where that happened?</p> <p>15 A. I am sure that -- there is</p> <p>16 probably -- I remember one time Jamie. I</p> <p>17 gave Jamie an assignment, and somebody else</p> <p>18 was working on it. I don't remember who,</p> <p>19 but I had to reassign it to the person. The</p> <p>20 sergeant called me, Sergeant Stack, and said</p> <p>21 such-and-such is working on it, so reassign</p> <p>22 Jamie's job to somebody else. There were</p> <p>23 lots of things like that. Because they</p> <p>24 might have gotten to the area early in the</p> |
| Page 60 | Page 62 |
| <p>1 Q. -- that would tell you whose case</p> <p>2 it was, and if there was a new warrant or</p> <p>3 something, that would have Officer Murphy's</p> <p>4 name on it indicating that he had done</p> <p>5 something already; is that correct?</p> <p>6 A. Yes.</p> <p>7 Q. When you see that, your practice</p> <p>8 would then be to make the assignment back to</p> <p>9 Officer Murphy?</p> <p>10 A. Yes.</p> <p>11 Q. How would it come about that</p> <p>12 another officer, Spalding or Echeverria,</p> <p>13 would be assigned a homicide that had been</p> <p>14 worked by another officer?</p> <p>15 A. I don't know if it was a homicide.</p> <p>16 Q. Well, even if it wasn't a</p> <p>17 homicide, in other words, how would a top</p> <p>18 five assignment go out?</p> <p>19 A. Human error.</p> <p>20 Q. So you don't know, but you are</p> <p>21 speculating that someone didn't see the name</p> <p>22 of the officer that had previously worked on</p> <p>23 the assignment; is that correct?</p> <p>24 A. Yes.</p> | <p>1 morning and started talking to a detective</p> <p>2 and started picking up the job, but just</p> <p>3 didn't -- when I send out my assignments,</p> <p>4 when I would do them, everybody saw</p> <p>5 everybody's assignment.</p> <p>6 So, let's say, I gave Jamie an</p> <p>7 assignment and somebody else was working on</p> <p>8 it, then they would call me and say, oh, I</p> <p>9 am already working on that. You know, this</p> <p>10 way, everybody could see what everybody was</p> <p>11 doing. And if I didn't know, I didn't know.</p> <p>12 I am here. They are at the area.</p> <p>13 Q. Do you recall Sergeant Barnes ever</p> <p>14 calling and instructing you or Jan to</p> <p>15 reassign a top five?</p> <p>16 A. That would be for Jan, but that</p> <p>17 one conversation that we previously</p> <p>18 discussed already.</p> <p>19 Q. I guess my question is other than</p> <p>20 that conversation, do you recall any other</p> <p>21 time where Sergeant Barnes called and</p> <p>22 instructed you to reassign a case? You or</p> <p>23 Jan?</p> <p>24 A. Not me. I can't speak for Jan.</p> |

| Page 63 | Page 65 |
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| <p>1 Q. Did Jan ever tell you that she had 2 been instructed to give Shannon and Danny 3 dead-end assignments? 4 A. No. Sorry, no. 5 Q. What would you consider a dead-end 6 assignment in Fugitive Apprehension? 7 A. I think they are all pretty 8 important assignments. 9 Q. Is there a difference in -- I 10 don't know -- prestige between a top five 11 assignment and, say, a misdemeanor? 12 A. Are you asking that to me as a 13 person to my -- 14 Q. As a police officer with knowledge 15 of the way things were handled in Fugitive 16 Apprehension. 17 A. I don't understand the question. 18 MS. DAVIS: Objection; calls for 19 speculation. 20 BY MR. TAREN: 21 Q. Let me ask you this: Do you know 22 what I mean when I say dead-end assignment? 23 A. No, I don't know what you mean by 24 dead-end.</p> | <p>1 Q. Do you recall Jan Hanna typing a 2 to/from to have Danny assigned to third 3 watch due to family reasons? 4 A. I don't recall that. 5 Q. Did you ever have any discussions 6 with Jan about that? 7 A. Not that I can recall or remember. 8 Q. Were you present at a meeting in 9 June of 2012 with Lieutenant Cesario in 10 which Danny and Shannon were discussed? 11 A. Not that I recall. 12 Q. If it wasn't June of 2012, at any 13 other time, at a meeting with Lieutenant 14 Cesario where either Danny or Shannon were 15 discussed? 16 A. Not that I can recall. 17 Q. Did you ever hear from any source 18 that officers were instructed not to provide 19 backup for either Shannon or Danny? 20 A. No. 21 Q. Did you ever hear from any source 22 that officers were instructed by anyone not 23 to work with Danny or Shannon? 24 A. No.</p> |
| Page 64 | Page 66 |
| <p>1 Q. Were there any assignments in 2 Fugitive Apprehension that, to your 3 knowledge, officers didn't want? 4 A. That they didn't want? 5 Q. Right. 6 A. No. They are all important. They 7 are warrants. They are investigative 8 alerts. You want to find the bad guy. 9 Q. So in your experience at Fugitive 10 Apprehension, officers were just as happy to 11 have a homicide or burglary as they would a 12 misdemeanor warrant where the individual was 13 either dead or already in jail? 14 A. I don't understand. 15 Q. Did any police officer in Fugitive 16 Apprehension ever complain to you about an 17 assignment? 18 A. No. Not -- no. 19 Q. No? 20 A. Not that I can recall that they 21 complained. 22 Q. At some point you recall that 23 Danny was assigned to third watch? 24 A. He was on Sergeant Mills' team.</p> | <p>1 Q. Did you ever observe either 2 Ms. Spalding or Mr. Echeverria treated 3 differently in the Fugitive Apprehension 4 unit from any other officer? 5 A. Not that I can recall. 6 Q. I asked you about conversations 7 that you heard about either of the 8 Plaintiffs being in IAD. Other than what 9 you have already told us, did you ever hear 10 any rumors from other officers concerning 11 Danny or Shannon's past at IAD? 12 A. Not that I recall. 13 Q. Are you familiar with practices of 14 the Fugitive Apprehension unit regarding the 15 listing of officers on arrest reports? 16 A. Arrest reports? 17 Q. Right. 18 A. Well, I have seen arrest reports, 19 but I am not -- 20 Q. Did you ever observe or become 21 aware of an officer being listed on a police 22 report even when they were not present at 23 the scene? 24 A. Did I?</p> |

| Page 67 | Page 69 |
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| <p>1 Q. Yes.</p> <p>2 A. Wait, I don't understand the</p> <p>3 question.</p> <p>4 Q. Let me ask this: What officers</p> <p>5 are, to your knowledge, supposed to be</p> <p>6 listed on an arrest report? There is an</p> <p>7 arresting officer, correct?</p> <p>8 A. Yes.</p> <p>9 Q. And other officers who are</p> <p>10 participating in the arrest, are their names</p> <p>11 customarily found on the arrest report?</p> <p>12 A. I wouldn't look for that on an</p> <p>13 arrest report. That wouldn't detail my job</p> <p>14 except for the arresting officers</p> <p>15 themselves.</p> <p>16 Q. So do officers get some kind of a</p> <p>17 statistic that is helpful for their careers</p> <p>18 with regard to arrests made or participation</p> <p>19 in arrests?</p> <p>20 A. Statistics?</p> <p>21 Q. Yes.</p> <p>22 A. That wouldn't be in my -- I would</p> <p>23 have no reason to know that in my position.</p> <p>24 Q. So you had nothing to do with</p> | <p>1 BY MR. TAREN:</p> <p>2 Q. Did you ever hear about any</p> <p>3 incidents in Fugitive Apprehension where an</p> <p>4 officer was criticized or disciplined or</p> <p>5 investigated for having their name on an</p> <p>6 arrest report that they weren't involved in?</p> <p>7 A. I am trying to understand what you</p> <p>8 are trying to say. Can you simplify that?</p> <p>9 Q. Well, let me make it a little more</p> <p>10 specific.</p> <p>11 A. It's kind of a long --</p> <p>12 Q. Are you aware of any officers</p> <p>13 receiving a CR number on a case where her</p> <p>14 name appeared on an arrest but she had not</p> <p>15 been present, actually present for the</p> <p>16 arrest?</p> <p>17 A. No, I am not aware of that.</p> <p>18 Q. And to be a little bit more</p> <p>19 specific, did you ever hear about an</p> <p>20 occasion where Roxanne Bilarceck (phonetic)</p> <p>21 received a CR number on a case?</p> <p>22 A. Roxy got a CR number?</p> <p>23 Q. I am just asking if this is</p> <p>24 anything you know about?</p> |
| Page 68 | Page 70 |
| <p>1 compiling or reviewing an officer's arrest</p> <p>2 stats; is that correct?</p> <p>3 A. Not their stats, no.</p> <p>4 Q. What did you compile with regard</p> <p>5 to officer's performance? Anything?</p> <p>6 A. Compile their performance?</p> <p>7 Q. Yes.</p> <p>8 A. No, I didn't compile their</p> <p>9 performance.</p> <p>10 Q. So you have no knowledge one way</p> <p>11 or the other whether officers in Fugitive</p> <p>12 Apprehension were bolstering each other's</p> <p>13 stats by putting people's names on arrest</p> <p>14 reports even if they weren't involved in</p> <p>15 arrests, is that your testimony?</p> <p>16 A. What's the question?</p> <p>17 MR. TAREN: Would you read that</p> <p>18 back, please.</p> <p>19 (Whereupon, the record was</p> <p>20 read as requested.)</p> <p>21 THE WITNESS: I have no knowledge</p> <p>22 about them putting each other on arrest</p> <p>23 reports.</p> <p>24</p> | <p>1 A. No, it's nothing I know about.</p> <p>2 Q. Did you ever hear from any source</p> <p>3 that Shannon Spalding had been banned from</p> <p>4 the Homan Square building?</p> <p>5 A. No.</p> <p>6 Q. Did you ever hear from any source</p> <p>7 that Shannon had been banned or prohibited</p> <p>8 from being any place, any office of the</p> <p>9 Chicago Police Department?</p> <p>10 A. Not that I heard.</p> <p>11 Q. What is the Accurant and Leads</p> <p>12 2000 database?</p> <p>13 A. A Leads 2000 database is</p> <p>14 information based on the Secretary of State</p> <p>15 so drivers licenses, vehicles. Accurant</p> <p>16 is -- it's kind of hard to describe. It's</p> <p>17 more of a background of somebody. Something</p> <p>18 maybe you would pay for online, something</p> <p>19 like that. But it's -- I think it's only</p> <p>20 offered to police, but I am not sure about</p> <p>21 that.</p> <p>22 Q. To your knowledge are these</p> <p>23 databases that police officers in Fugitive</p> <p>24 Apprehension had access to?</p> |

| Page 71 | Page 73 |
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| <p>1 A. Accurant everybody -- you are only 2 limited to so many accounts per each unit. 3 So if we had three accounts, which we did, 4 there was a password on a board that 5 everybody could see it go into that 6 database. So we had a board with the 7 password to Accurant. 8 Leads 2000, which I don't even 9 have. You have to pass a test. If you 10 passed your test, you could be qualified for 11 Leads 2000. 12 It's a different test than our 13 regular Leads test. But we all have Leads, 14 but for Leads 2000, you have to, from what I 15 understand, take another test, pass it, and 16 then you put in. 17 Q. When new officers came into 18 Fugitive Apprehension, what was the practice 19 that you are aware of to get them access to 20 Leads 2000. 21 A. There was an Officer Culhane who 22 was our officer who worked with the State 23 Police who was in charge of putting people's 24 information after they took their test into</p> | <p>1 A. I am sure he confirmed if you took 2 your test somewhere else and then you 3 would -- 4 Q. And then you have your own 5 password or user name? 6 A. Yes. 7 Q. You say you don't have access to 8 Leads 2000? 9 A. Uh-uh. 10 Q. Correct? 11 A. No. 12 Q. Do you know how many of the 13 officers in Fugitive Apprehension had access 14 to Leads 2000 and how many did not? 15 A. No. 16 Q. Do you know whether it was an 17 important database in order to assist them 18 to do their jobs? 19 A. Important or -- 20 Q. Or useful? How about useful? 21 A. Useful. Useful would be a word. 22 Q. Did you ever hear from any source 23 that Danny or Shannon were not to be given 24 access to the Leads 2000 database?</p> |
| Page 72 | Page 74 |
| <p>1 Leads 2000. 2 Q. Do you know how an officer would 3 go about taking the Leads 2000 test? 4 A. I think it's -- I am not sure. I 5 mean, it's online. It's on our desktop 6 somewhere to take it, I think. I am not 7 sure, but I think it's on our desk top. I 8 don't take it. 9 Q. Do you know whether either a 10 sergeant or Lieutenant Cesario or the 11 commander had to authorize an officer to 12 take that test? 13 A. Not that I know of. You could 14 just take the test yourself. 15 Q. I am just trying to find out the 16 procedure. 17 A. Yes. 18 Q. You could take the test, and then 19 go to Officer Culhane -- 20 A. Yes. 21 Q. -- after you have passed it, and 22 then you would be given access to the Leads 23 2000? Is that your understanding how it 24 worked?</p> | <p>1 A. No. 2 Q. And what about to the Accurant 3 database, did you ever hear from any source 4 that they were not supposed to have access 5 to that database? 6 A. No, I did not. 7 Q. So is it your testimony that 8 anybody with a computer in Fugitive 9 Apprehension could just look at the 10 blackboard, get the password and utilize the 11 Accurant database? 12 A. From my knowledge, yes. 13 MR. TAREN: You want to take a 14 break, by the way? 15 MS. DAVIS: Yes. Let's take a 16 break. 17 (Whereupon, a break was taken 18 from 11:19 to 11:30 a.m.) 19 MR. TAREN: Back on the record. 20 BY MR. TAREN: 21 Q. And you understand that you remain 22 under oath? 23 A. Yes. 24 Q. One thing of clarification. Do</p> |

| Page 75 | Page 77 |
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| <p>1 you know whether the password to the</p> <p>2 Accurint database is on the blackboard</p> <p>3 currently?</p> <p>4 A. I think they have it out -- I am</p> <p>5 not sure, but usually they have it listed</p> <p>6 outside the fugitive door. I don't really</p> <p>7 look at it.</p> <p>8 Q. What would that be listed on?</p> <p>9 A. It's like a cork board.</p> <p>10 Q. So it's not a chalk?</p> <p>11 A. It used to be a white board.</p> <p>12 Q. All right.</p> <p>13 A. And when we were at Homan. But I</p> <p>14 think -- I am not sure. I don't even look</p> <p>15 up there, to tell you the truth. It would</p> <p>16 be there, if anywhere, I would just assume.</p> <p>17 I am assuming. I don't really pay</p> <p>18 attention. Sorry.</p> <p>19 Q. Are you deputized?</p> <p>20 A. No.</p> <p>21 Q. Have you ever been?</p> <p>22 A. No.</p> <p>23 Q. And I had asked you about whether</p> <p>24 you ever heard any conversations from</p> | <p>1 A. No.</p> <p>2 Q. How did you learn that Danny and</p> <p>3 Shannon had filed a lawsuit against the</p> <p>4 Chicago Police Department?</p> <p>5 A. I was watching TV, and I saw them</p> <p>6 on TV.</p> <p>7 Q. Had you been told in advance by</p> <p>8 anyone that they were going to be on TV?</p> <p>9 A. I don't recall that, but I</p> <p>10 remember watching it. I was -- I remember</p> <p>11 seeing them on TV. And I think I said -- I</p> <p>12 might have texted Jan and said, Danny and</p> <p>13 Shannon are on TV.</p> <p>14 Q. Do you think you did?</p> <p>15 A. Jan, yeah.</p> <p>16 Q. Text her?</p> <p>17 A. Uh-huh.</p> <p>18 Q. What phone did you text from?</p> <p>19 A. My personal phone.</p> <p>20 Q. What's that phone number?</p> <p>21 A. (773) 315-1532.</p> <p>22 Q. How often did you send a text to</p> <p>23 Jan?</p> <p>24 A. Did I?</p> |
| Page 76 | Page 78 |
| <p>1 Lieutenant Cesario about Shannon or Danny</p> <p>2 having been in IAD. Did you ever hear any</p> <p>3 conversations from Commander Salemmie about</p> <p>4 Shannon or Danny having been in IAD?</p> <p>5 A. I don't recall any -- Commander</p> <p>6 Salemmie ever even talking about it.</p> <p>7 Q. Do you recall Commander Salemmie</p> <p>8 talking about anything to do with Danny or</p> <p>9 Shannon?</p> <p>10 A. Just that we were getting two new</p> <p>11 people.</p> <p>12 Q. That's the only thing you do</p> <p>13 recall?</p> <p>14 A. Yes.</p> <p>15 Q. Were you familiar with the</p> <p>16 procedures regarding the check-off at the</p> <p>17 end of the day when an officer was in the</p> <p>18 field?</p> <p>19 A. No.</p> <p>20 Q. So you don't have any information</p> <p>21 about whether Fugitive Apprehension members</p> <p>22 were allowed to report and check off</p> <p>23 directly from the field or whether they had</p> <p>24 to return to the unit?</p> | <p>1 Q. Yes.</p> <p>2 A. We'd text and back all the time.</p> <p>3 Q. Do you recall what number you</p> <p>4 would text it to?</p> <p>5 A. No. I am sure it's in my phone.</p> <p>6 Q. Do you have your phone with you?</p> <p>7 A. Yes.</p> <p>8 Q. Good. Can you tell me?</p> <p>9 A. (773) 620-9337.</p> <p>10 Q. Do you still have that text on the</p> <p>11 phone?</p> <p>12 A. No.</p> <p>13 Q. What kind of phone is it?</p> <p>14 A. A Samsung.</p> <p>15 Q. And who is your provider service</p> <p>16 provider?</p> <p>17 A. AT&T.</p> <p>18 Q. I am going to ask you to please</p> <p>19 preserve any and all data, including texts</p> <p>20 that are on that phone, pending a subpoena</p> <p>21 for the data.</p> <p>22 Who else have you,</p> <p>23 from Fugitive Apprehension, have you ever</p> <p>24 texted? And I am talking about the texts</p> |

| Page 79 | Page 81 |
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| <p>1 from you to them or from them to you?</p> <p>2 A. Maureen Kallus. She is the one I</p> <p>3 worked with.</p> <p>4 Q. Who else?</p> <p>5 A. Lieutenant Cesario.</p> <p>6 Q. When you texted Lieutenant</p> <p>7 Cesario, what number do you text to?</p> <p>8 A. Usually it's his BlackBerry.</p> <p>9 Q. Do you have that number?</p> <p>10 A. (312) 446-3059.</p> <p>11 Q. Is that a personal number?</p> <p>12 A. That's a work number.</p> <p>13 Q. Is there another number that you</p> <p>14 have texted to Lieutenant Cesario or</p> <p>15 received a text from?</p> <p>16 A. (773) 544-9710.</p> <p>17 Q. Is that a personal number?</p> <p>18 A. That's the personal one.</p> <p>19 Q. You have sent or received texts</p> <p>20 from Lieutenant Cesario from or to that</p> <p>21 number, the 773 number that you just gave?</p> <p>22 A. Yes.</p> <p>23 Q. And have you ever sent or received</p> <p>24 any texts from or to Lieutenant Cesario that</p> | <p>1 A. And there is one named Bob.</p> <p>2 Q. I am really more concerned -- I</p> <p>3 mean, actually my only concern has --</p> <p>4 A. It's kind of personal.</p> <p>5 Q. -- any texts that has to deal</p> <p>6 with --</p> <p>7 A. Nothing to do with this case.</p> <p>8 Q. But you have already told me that</p> <p>9 you sent a text to Jan Hanna after you heard</p> <p>10 about or saw information about the lawsuit,</p> <p>11 correct?</p> <p>12 A. That I saw her on TV.</p> <p>13 Q. On TV. Do you recall what your</p> <p>14 text said?</p> <p>15 A. No, I don't recall.</p> <p>16 Q. Do you know what she said back to</p> <p>17 you?</p> <p>18 A. No, I don't recall that.</p> <p>19 Q. Did you ever send or receive any</p> <p>20 texts from Commander Salemme?</p> <p>21 A. I am sure.</p> <p>22 In regards to this case are</p> <p>23 you asking me?</p> <p>24 Q. In regards to anything to do with</p> |
| Page 80 | Page 82 |
| <p>1 had anything to do with Danny or Shannon or</p> <p>2 the lawsuit they filed?</p> <p>3 A. Not that I recall.</p> <p>4 Q. So it's possible that you have?</p> <p>5 A. I don't know.</p> <p>6 Q. You mentioned something while you</p> <p>7 were looking about a group text; is that</p> <p>8 correct?</p> <p>9 A. Yes. I have pictures of minions</p> <p>10 with me and Mo.</p> <p>11 Q. I am sorry, pictures of what?</p> <p>12 A. Of minions.</p> <p>13 Q. I know what a minion is.</p> <p>14 A. Sorry.</p> <p>15 Q. Do you have any text groups that</p> <p>16 include people from Fugitive Apprehension?</p> <p>17 A. They are just me and Maureen and</p> <p>18 Lieutenant Cesario. It's minions.</p> <p>19 Q. I hate to ask this, but believe it</p> <p>20 or not, one of the last cases I was involved</p> <p>21 in, a minion played a role, what is the</p> <p>22 minion about?</p> <p>23 A. A Black Hawks minion.</p> <p>24 Q. Good.</p> | <p>1 Danny or Shannon?</p> <p>2 A. No, not that I can recall.</p> <p>3 Q. So that's possible also; is that</p> <p>4 correct?</p> <p>5 A. About them being on TV, you mean?</p> <p>6 Q. Sure.</p> <p>7 A. That could be possible.</p> <p>8 Q. Tell me what numbers you would</p> <p>9 have sent or received from --</p> <p>10 A. I shut it off.</p> <p>11 Q. -- from Commander Salemme?</p> <p>12 A. I know it's his BlackBerry number.</p> <p>13 I don't know his BlackBerry number.</p> <p>14 Q. That's okay. While we are</p> <p>15 waiting, is this the same phone that you had</p> <p>16 in March of 2012?</p> <p>17 A. No.</p> <p>18 Q. What phone did you have in March</p> <p>19 of 2012?</p> <p>20 A. I don't know. It was one of those</p> <p>21 flip things.</p> <p>22 Q. A flip. Do you still have it?</p> <p>23 A. No.</p> <p>24 Q. When did you get this new phone?</p> |

| Page 83 | Page 85 |
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| <p>1 A. Last year.</p> <p>2 Q. In 2014 at some point?</p> <p>3 A. Yes. I think it was February</p> <p>4 of 2014.</p> <p>5 Q. Did you have all the data on your</p> <p>6 prior phone transferred to this phone?</p> <p>7 A. No.</p> <p>8 Q. Was it the same service provider,</p> <p>9 AT&T?</p> <p>10 A. I don't know. I think so. I</p> <p>11 think so. I am not sure.</p> <p>12 Q. What did you do with your old</p> <p>13 phone?</p> <p>14 A. Smashed it.</p> <p>15 Q. Do you still have it at home</p> <p>16 smashed?</p> <p>17 A. No. No, I don't.</p> <p>18 Q. Did you dispose of it?</p> <p>19 A. Yes.</p> <p>20 Q. When?</p> <p>21 A. Maybe I think I threw it in those</p> <p>22 Best Buy disposable bins maybe.</p> <p>23 Q. When was that?</p> <p>24 A. Maybe -- I don't know. I was</p> | <p>1 you used texts with regard to your</p> <p>2 employment. Did these --</p> <p>3 A. They -- my personal phone is my</p> <p>4 personal phone. I mean, it wasn't in</p> <p>5 regards to my employment.</p> <p>6 Q. So when you were texting</p> <p>7 Lieutenant Cesario, what kind of matters did</p> <p>8 you text him about?</p> <p>9 A. Probably jokes.</p> <p>10 Q. What kind of jokes?</p> <p>11 A. Maybe something we saw. We used</p> <p>12 to call Mo "Face." So if I would see a face</p> <p>13 in a waiting room, I would take a picture of</p> <p>14 a face, I would be like Mo.</p> <p>15 Q. I don't get that.</p> <p>16 A. You have to be there.</p> <p>17 Q. What does that mean, though?</p> <p>18 A. Face, a look on her face. We</p> <p>19 would call her "Face." It was a smiley</p> <p>20 face.</p> <p>21 Q. The two of you had a friendly</p> <p>22 personal relationship, you and Lieutenant</p> <p>23 Cesario; is that correct?</p> <p>24 A. We were friendly being work</p> |
| Page 84 | Page 86 |
| <p>1 shopping, and we were dropping off like a</p> <p>2 monitor, and I don't know what day it was.</p> <p>3 I mean, it was probably soon after I got</p> <p>4 another phone.</p> <p>5 Q. Did anyone ever instruct you to</p> <p>6 review your text messages to see if there</p> <p>7 was anything that referenced Danny</p> <p>8 Echeverria or Shannon Spalding?</p> <p>9 A. No. Just you.</p> <p>10 Q. Just today; is that correct?</p> <p>11 A. Yes.</p> <p>12 Q. Did anyone ever instruct you to</p> <p>13 preserve any information that you had,</p> <p>14 including text messages, that referenced</p> <p>15 Shannon or Danny?</p> <p>16 A. No.</p> <p>17 Q. Is it possible that you have --</p> <p>18 that there were texts on your prior</p> <p>19 telephone, whether preserved or deleted,</p> <p>20 between you and Jan or Cesario or Salemme</p> <p>21 that referenced the lawsuit that was filed?</p> <p>22 A. Not that I would recall or even</p> <p>23 think about.</p> <p>24 Q. But I am trying to understand how</p> | <p>1 related. We are colleagues.</p> <p>2 Q. But I am asking that because --</p> <p>3 A. Outside of work, no.</p> <p>4 Q. What we are talking about is</p> <p>5 outside of work, right?</p> <p>6 A. No. We had no relationship</p> <p>7 outside of work.</p> <p>8 Q. Good enough to text each other</p> <p>9 jokes, correct?</p> <p>10 A. I guess that would be regarding</p> <p>11 things that you saw.</p> <p>12 Q. And what about Commander Salemme,</p> <p>13 what kind of matters would you text him?</p> <p>14 A. Oh, his were mostly meetings or</p> <p>15 regarding going to work, or if I had a</p> <p>16 situation, maybe my kid was sick. That was</p> <p>17 more when I was in the area, but not when I</p> <p>18 was working for Lieutenant Cesario.</p> <p>19 Anything that was related, it would probably</p> <p>20 be NATO stuff.</p> <p>21 Q. Primarily work-related texts; is</p> <p>22 that correct?</p> <p>23 A. Definitely.</p> <p>24 Q. Do you have the number that you</p> |

| Page 87 | Page 89 |
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| <p>1 texted with Commander Salemme?</p> <p>2 A. Let me see, (312) 907-1723.</p> <p>3 Q. Is there a personal number?</p> <p>4 By the way, is that a work</p> <p>5 number?</p> <p>6 A. Yes, that's a work number.</p> <p>7 Q. Does he have a personal number?</p> <p>8 A. (312) 593-3584.</p> <p>9 Q. To your knowledge, did you ever</p> <p>10 send or receive a text from that number?</p> <p>11 A. I could have from work. I don't</p> <p>12 -- it's not something that I -- he is my</p> <p>13 boss.</p> <p>14 Q. Are there any other members of the</p> <p>15 Fugitive Apprehension unit that you sent or</p> <p>16 received texts from?</p> <p>17 A. I am sure Sergeant Schlatto</p> <p>18 (phonetic) or Sergeant -- if I need</p> <p>19 something from them regarding paperwork.</p> <p>20 Q. How about Sergeant Barnes?</p> <p>21 A. Sergeant Barnes I needed paperwork</p> <p>22 from.</p> <p>23 Q. What number did you text to or</p> <p>24 from with regard to him?</p> | <p>1 Q. You made mention earlier about</p> <p>2 seeing Jan Hanna on television?</p> <p>3 A. Yes, I did.</p> <p>4 Q. After you saw Jan Hanna, did you</p> <p>5 send any texts to anyone?</p> <p>6 A. No, not that I remember that I</p> <p>7 recall. I might -- I don't recall.</p> <p>8 Q. Do you recall whether you received</p> <p>9 any texts from anyone after Ms. Hanna was on</p> <p>10 television?</p> <p>11 A. No, I don't recall.</p> <p>12 Q. Do you have a personal email?</p> <p>13 A. A personal one?</p> <p>14 Q. Yes.</p> <p>15 A. Yes.</p> <p>16 Q. What is it?</p> <p>17 A. Coleencc@yahoo.com.</p> <p>18 Q. Have you ever sent or received an</p> <p>19 email from anyone that makes reference to</p> <p>20 Shannon Spalding, Danny Echeverria or the</p> <p>21 lawsuit?</p> <p>22 A. I don't recall. I don't remember.</p> <p>23 Q. How about with regard to either</p> <p>24 Jan Hanna's appearance on television or</p> |
| Page 88 | Page 90 |
| <p>1 A. I don't even know if I saved that</p> <p>2 number. It would be on a phone list. I</p> <p>3 will do it from there. They are not my</p> <p>4 personal boss usually. I don't know if I</p> <p>5 would have saved Barnes. No. I don't have</p> <p>6 Sergeant Barnes.</p> <p>7 Q. How about Sergeant Mills?</p> <p>8 A. Sergeant Mills, I might have his.</p> <p>9 He would have been one of the sergeants that</p> <p>10 I worked with on his stuff.</p> <p>11 There he is. (773) 505-1887.</p> <p>12 Q. Is that to your knowledge a</p> <p>13 personal cell?</p> <p>14 A. That's the one he always uses. I</p> <p>15 have no idea.</p> <p>16 Q. Do you have any recollection of</p> <p>17 having sent or received any texts with</p> <p>18 regard to Sergeant Mills that had anything</p> <p>19 to do with Ms. Spalding or Mr. Echeverria or</p> <p>20 their lawsuit?</p> <p>21 A. I don't remember. I don't recall</p> <p>22 it.</p> <p>23 Q. You are not sure; is that correct?</p> <p>24 A. I am not sure.</p> | <p>1 anything that Jan Hanna said concerning</p> <p>2 Ms. Spalding or Mr. Echeverria, did you ever</p> <p>3 receive or send any emails?</p> <p>4 A. I don't recall that.</p> <p>5 Q. I would also ask you to preserve</p> <p>6 any and all emails that you may have that</p> <p>7 have -- well, just in general until we</p> <p>8 determine whether there is anything relevant</p> <p>9 to this case.</p> <p>10 Were you ever instructed by</p> <p>11 anyone to preserve any of your emails that</p> <p>12 may have had anything to do with Shannon</p> <p>13 Spalding, Danny Echeverria or this case?</p> <p>14 A. No. Just by you.</p> <p>15 Q. And I take it, nobody has asked</p> <p>16 you to search those emails to see if there</p> <p>17 was any reference to either of my clients;</p> <p>18 is that right?</p> <p>19 A. No, nobody asked me.</p> <p>20 Q. We have been talking about text</p> <p>21 messages that may have gone back and forth</p> <p>22 between you and some of your bosses. Did</p> <p>23 you ever email Lieutenant Cesario, Commander</p> <p>24 Salemme?</p> |

| Page 91 | Page 93 |
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| <p>1 A. Have I ever emailed them?</p> <p>2 Q. Sent emails to them or received</p> <p>3 emails back to your private email.</p> <p>4 A. My private one?</p> <p>5 Q. Yes. The yahoo.com one?</p> <p>6 A. No.</p> <p>7 Q. You have a Chicago Police</p> <p>8 Department email?</p> <p>9 A. Yes.</p> <p>10 Q. What is that?</p> <p>11 A. Coleen.dougan@Chicagopolice.org.</p> <p>12 Q. To your knowledge, have you ever</p> <p>13 sent or received an email to or from that</p> <p>14 address that has anything to do with Shannon</p> <p>15 Spalding or Danny Echeverria or any of the</p> <p>16 allegations of their lawsuit?</p> <p>17 A. I don't recall.</p> <p>18 Q. So that's possible; is that</p> <p>19 correct?</p> <p>20 A. I don't recall.</p> <p>21 MS. DAVIS: Objection to the form</p> <p>22 of the question.</p> <p>23 BY MR. TAREN:</p> <p>24 Q. Were you involved in any way in</p> | <p>1 had anything to do with why they were</p> <p>2 assigned away from Sergeant Barnes?</p> <p>3 A. That I don't recall any discussion</p> <p>4 that wouldn't involve me.</p> <p>5 Q. So you didn't -- and that would</p> <p>6 include overhearing any discussions?</p> <p>7 A. Not that I recall, or that comes</p> <p>8 to my memory.</p> <p>9 Q. As you sit here today, do you know</p> <p>10 why that assignment, reassignment was made?</p> <p>11 A. No, I don't.</p> <p>12 Q. I'd like to switch gears here a</p> <p>13 little bit. I'd like to direct your</p> <p>14 attention now to an incident which took</p> <p>15 place around March 29th of 2013 when you</p> <p>16 thought you heard Shannon Spalding on the</p> <p>17 telephone with Sergeant Mills. Do you</p> <p>18 recall that?</p> <p>19 A. I recall it, yes. Yes.</p> <p>20 Q. Have you reviewed the report of</p> <p>21 the CR investigation with regard to that</p> <p>22 incident?</p> <p>23 A. No.</p> <p>24 Q. Ever?</p> |
| Page 92 | Page 94 |
| <p>1 any of the discussions concerning the</p> <p>2 reassignment of Danny or Shannon to Sergeant</p> <p>3 Mills from Sergeant Barnes?</p> <p>4 A. No, I wasn't.</p> <p>5 Q. When did you find out about that?</p> <p>6 A. About?</p> <p>7 Q. About the reassignment to days --</p> <p>8 strike that.</p> <p>9 Their reassignment to Sergeant</p> <p>10 Mills' team?</p> <p>11 MS. DAVIS: Objection to the form</p> <p>12 of the question.</p> <p>13 THE WITNESS: I don't -- when was</p> <p>14 it? There is not a whole question there.</p> <p>15 BY MR. TAREN:</p> <p>16 Q. At some point, Ms. Spalding and</p> <p>17 Mr. Echeverria were assigned to report to</p> <p>18 Sergeant Tom Mills, correct?</p> <p>19 A. Yes.</p> <p>20 Q. Do you recall when that was?</p> <p>21 A. No, I don't recall.</p> <p>22 Q. Did you ever hear any discussions</p> <p>23 from anyone, from Sergeant Barnes, from</p> <p>24 Lieutenant Cesario, Commander Salemme that</p> | <p>1 A. No.</p> <p>2 Q. Okay. Tell me what happened.</p> <p>3 MS. DAVIS: Objection to the form</p> <p>4 of the question.</p> <p>5 MR. TAREN: You can answer.</p> <p>6 THE WITNESS: I am trying to give</p> <p>7 you an exact.</p> <p>8 BY MR. TAREN:</p> <p>9 Q. Take your time.</p> <p>10 A. Shannon, I believe, was texting me</p> <p>11 in the morning asking me what time I would</p> <p>12 get to work, and I don't remember what I</p> <p>13 told her. And then I went upstairs. I was</p> <p>14 coming up the front hallway. There is a</p> <p>15 back hallway and there is a front hallway.</p> <p>16 And when I was coming up the front hallway</p> <p>17 in the corridor, there is three chairs that</p> <p>18 are attached to each other. And Jan was</p> <p>19 sitting on this chair, and there was nobody</p> <p>20 on this chair, and Shannon was sitting on</p> <p>21 this chair sideways, not facing forward.</p> <p>22 Q. Okay.</p> <p>23 A. Jan was facing forward and had her</p> <p>24 phone like this. So as I was coming up the</p> |

| Page 95 | Page 97 |
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| <p>1 stairs, Shannon had something in her hand, 2 but I heard Sergeant Mills's voice. And I 3 thought, why is Sergeant Mills here in the 4 morning? It was loud and it was boisterous, 5 and I am thinking that was Sergeant Mills as 6 I am walking up the stairs here. 7 So when I got to the top of 8 the stairs, I kind of looked at Shannon and 9 Jan, and I was like, where is Sergeant 10 Mills? Because it was loud. So I walked 11 over to my office, and I don't remember the 12 details of what I heard at this moment. And 13 I was kind of confused, in my own mind, did 14 he leave her a message like that? Did she 15 record him? 16 And then Jan came into my 17 office and sat there. And I said, was 18 Shannon recording Sergeant Mills? I go, 19 what was that? She goes, I didn't hear it. 20 And then she proceeded to repeat whatever it 21 was I heard. So I said, okay, and asked me 22 if that's basically what I heard, and I said 23 yeah. But you didn't hear it from what's in 24 her hand?</p> | <p>1 there at 8:00. 2 Q. When you observed Jan Hanna that 3 morning, did she have headphones on? 4 A. No. She had her telephone by her 5 ear. 6 Q. Was she talking on the phone, 7 could you tell? 8 A. Before that, she was asking me 9 where I was. I just kind of looked over 10 because I was looking for Sergeant Mills. 11 Q. So during the time that you heard 12 Sergeant Mills' voice, you were walking up 13 the stairs; is that correct? 14 A. I was walking up the front stairs. 15 Q. Did you ever stop and linger to 16 try and eavesdrop on what was being said? 17 A. It was loud and boisterous. I 18 remember hearing the words. I can't repeat 19 them right now, but it was a while ago. 20 Q. I understand. My question was 21 that did you hear this in passing, or did 22 you stop and eavesdrop on what was being 23 said? 24 A. I kind of stopped, listened and</p> |
| Page 96 | Page 98 |
| <p>1 So I kind of pondered with it 2 for a little while, and I thought whatever 3 it was wasn't right. 4 And when I left, I saw Steven 5 Becker who is on Mills' team who I had known 6 previously from the area. I said maybe you 7 should -- I don't know if he left her a 8 voicemail, or she is recording him but 9 maybe, you know, tell Sergeant Mills watch 10 what he says, and then I left. 11 Q. This took place on March 29th of 12 2013? 13 A. I don't recall the exact date. 14 Q. Do you recall what time of the day 15 it was? 16 A. When I left work? 17 Q. No. When you first -- 18 A. It was early in the morning. 19 Q. Around 7:30 or so? 20 A. I don't know. 21 Q. What time do you usually get to 22 work? 23 A. Between 6:00 and -- if I have to 24 take my daughter to school, I could get</p> | <p>1 looked to see where he was. 2 Q. For how many seconds did you hear 3 his voice? 4 A. I don't know. 5 Q. How many stairs were there? 6 A. I don't know. 7 Q. Do you think we are talking about 8 like five seconds' worth of listening? 9 A. Maybe ten seconds I would have 10 been listening. 11 Q. During that time, you were getting 12 further and further away from the source; is 13 that correct? 14 A. No. She shut it off when I got 15 upstairs. 16 Q. Did you ever make eye contact with 17 Shannon during that period of time? 18 A. Yes, yes. I looked right at her. 19 Q. And she looked at you? 20 A. Yes. 21 Q. And did she say anything to you? 22 A. No. 23 Q. So are you telling me -- first of 24 all, did you recognize the voice on the</p> |

| Page 99 | Page 101 |
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| <p>1 device that you heard as Thomas Mills?</p> <p>2 A. Yes.</p> <p>3 Q. Conclusively?</p> <p>4 A. Yes.</p> <p>5 Q. And did you tell that to IAD at</p> <p>6 some point that you conclusively recognized</p> <p>7 Thomas Mills' voice?</p> <p>8 A. Yes.</p> <p>9 Q. Did you recognize the device that</p> <p>10 the voice was coming from?</p> <p>11 A. She had it in her hand. I didn't</p> <p>12 -- I might have thought it would be a phone.</p> <p>13 It could be -- it was black. That's all I</p> <p>14 saw.</p> <p>15 Q. My question is did you recognize</p> <p>16 the device as a telephone?</p> <p>17 A. I didn't see the top of it.</p> <p>18 Q. So is your answer no?</p> <p>19 A. No.</p> <p>20 Q. Did you think at that time that</p> <p>21 there was something odd about Ms. Spalding</p> <p>22 speaking with Thomas Mills that morning?</p> <p>23 A. I thought it was odd that he</p> <p>24 wasn't there when I got to the top of the</p> | <p>1 A. At the time, yes.</p> <p>2 Q. How many words did you hear?</p> <p>3 A. I don't recall.</p> <p>4 Q. Is it your testimony that you</p> <p>5 currently have no recollection of what you</p> <p>6 heard at that time?</p> <p>7 A. At this moment.</p> <p>8 Q. Right now you don't know what was</p> <p>9 said?</p> <p>10 A. I don't remember what was said,</p> <p>11 no.</p> <p>12 Q. But you heard Tom Mills say</p> <p>13 something, and then I believe you testified</p> <p>14 Jan Hanna came to your office and repeated</p> <p>15 what Tom Mills said?</p> <p>16 A. Yes.</p> <p>17 Q. And you don't recall what Jan</p> <p>18 Hanna said either; is that correct?</p> <p>19 A. Not at this time point, no.</p> <p>20 Q. What time did you speak with Steve</p> <p>21 Becker?</p> <p>22 A. Probably 4:00 or 5:00 o'clock.</p> <p>23 Q. Am I correct that at the time that</p> <p>24 you heard this incident, you had no idea</p> |
| Page 100 | Page 102 |
| <p>1 stairs.</p> <p>2 Q. Did you make any kind of</p> <p>3 determination of whether Ms. Spalding had</p> <p>4 this device on a speaker?</p> <p>5 A. I don't know.</p> <p>6 Q. You don't know, is that what you</p> <p>7 are saying?</p> <p>8 A. It was loud. I mean, I --</p> <p>9 Q. How is it that you knew it was</p> <p>10 coming from Ms. Spalding's device and not</p> <p>11 Ms. Hanna's device?</p> <p>12 A. I don't know.</p> <p>13 Q. So it could have been either one?</p> <p>14 A. It could have been either one.</p> <p>15 Q. Is it your testimony that at the</p> <p>16 time you heard the exact words that you</p> <p>17 believed Thomas Mills had said?</p> <p>18 MS DAVIS: Objection to the form</p> <p>19 of the question.</p> <p>20 BY MR. TAREN:</p> <p>21 Q. In other words, you could</p> <p>22 distinguish what was being said --</p> <p>23 A. Yes.</p> <p>24 Q. -- from the device, correct?</p> | <p>1 whether there was something illegal that had</p> <p>2 taken place; is that correct?</p> <p>3 MS. DAVIS: Objection to the form</p> <p>4 of the question.</p> <p>5 MR. TAREN: You can answer.</p> <p>6 THE WITNESS: That something</p> <p>7 illegal took place?</p> <p>8 BY MR. TAREN:</p> <p>9 Q. Right.</p> <p>10 A. A little more information here.</p> <p>11 Illegal regarding?</p> <p>12 Q. Anything.</p> <p>13 A. That it was illegal?</p> <p>14 Q. You didn't know what you heard,</p> <p>15 isn't that true, whether it was a recording,</p> <p>16 a speakerphone or something else?</p> <p>17 A. I just know he wasn't standing</p> <p>18 there when I came up, and I heard him.</p> <p>19 Q. Did you believe that prior to</p> <p>20 speaking to Steve Becker that something</p> <p>21 inappropriate had taken place with regard to</p> <p>22 what you had heard Tom Mills say?</p> <p>23 A. My personal belief?</p> <p>24 Q. Yes. At that time?</p> |

| Page 103 | Page 105 |
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| <p>1 A. I don't really -- are you saying</p> <p>2 was -- I don't -- sorry. Can you repeat it.</p> <p>3 MS. DAVIS: I am going to object</p> <p>4 to the form of the question.</p> <p>5 (Whereupon, the record was</p> <p>6 read as requested.)</p> <p>7 THE WITNESS: Inappropriate? Most</p> <p>8 likely. Illegal? I don't know. I am not a</p> <p>9 lawyer.</p> <p>10 BY MR. TAREN:</p> <p>11 Q. Prior to speaking to Steve Becker,</p> <p>12 did you inform anyone about what you</p> <p>13 believed you heard?</p> <p>14 A. Jan Hanna.</p> <p>15 Q. Anyone else?</p> <p>16 A. Not that I can recall.</p> <p>17 Q. Did you talk to Lieutenant Cesario</p> <p>18 about this incident?</p> <p>19 A. Not that I recall.</p> <p>20 Q. Did you talk to Commander Salemme</p> <p>21 about this incident?</p> <p>22 A. At that moment?</p> <p>23 Q. At that moment.</p> <p>24 A. No.</p> | <p>1 A. Not that I recall.</p> <p>2 Q. And by the way, when you were</p> <p>3 speaking with Becker, nobody else was</p> <p>4 present; is that correct?</p> <p>5 A. Correct.</p> <p>6 Q. Did you tell Becker that he,</p> <p>7 Becker, needed to be careful about what he</p> <p>8 said around Officer Spalding?</p> <p>9 A. Not that I recall that he be</p> <p>10 careful.</p> <p>11 Q. Did you tell Becker to tell Mills</p> <p>12 to be careful what she said around Officer</p> <p>13 Spalding?</p> <p>14 A. That he should watch what he says.</p> <p>15 Q. Are those your words?</p> <p>16 A. Those are my words?</p> <p>17 Q. When you say, "he should watch</p> <p>18 what he says," who did you refer to? "He,"</p> <p>19 Becker?</p> <p>20 A. No. Sergeant Mills.</p> <p>21 Q. Okay. So you told Becker that</p> <p>22 Mills should watch what he says; is that</p> <p>23 correct?</p> <p>24 A. Yes.</p> |
| Page 104 | Page 106 |
| <p>1 Q. And how about to Tom Mills?</p> <p>2 A. At that moment, no.</p> <p>3 Q. I know you talked to Tom Mills</p> <p>4 later, correct?</p> <p>5 A. Yes.</p> <p>6 Q. You never asked Steve Becker to</p> <p>7 take out a CR number?</p> <p>8 A. No.</p> <p>9 Q. And it wasn't your intent in</p> <p>10 speaking to Steve Becker to instigate any</p> <p>11 kind of investigation, was it?</p> <p>12 A. No.</p> <p>13 Q. Did you tell that to Mr. Becker?</p> <p>14 A. I didn't.</p> <p>15 Q. Did you ever contact IAD or any of</p> <p>16 your supervisors to complain about something</p> <p>17 that you had heard with regard to this</p> <p>18 incident? You personally?</p> <p>19 A. Did I contact IAD?</p> <p>20 Q. Yes.</p> <p>21 A. No.</p> <p>22 Q. Did Officer Becker thank you for</p> <p>23 putting him on warning or say anything other</p> <p>24 than that he would let Mills know?</p> | <p>1 Q. And what's the next thing that</p> <p>2 happened?</p> <p>3 A. I left for two days. It was a</p> <p>4 weekend.</p> <p>5 Q. And then by the way, did you tell</p> <p>6 Becker that you thought you heard a</p> <p>7 recording?</p> <p>8 A. I said, I heard -- I might have.</p> <p>9 I don't remember. I heard Mills.</p> <p>10 Q. That's what I am trying to find</p> <p>11 out, though. Did you say you heard Mills,</p> <p>12 or did you say you heard a recording or</p> <p>13 something else?</p> <p>14 A. I don't remember my exact words.</p> <p>15 I said I heard Mills' voice.</p> <p>16 Q. Is there anything else that you</p> <p>17 said to Steve Becker or that he said to you</p> <p>18 that you recall now?</p> <p>19 A. Not that I recall.</p> <p>20 Q. And I take it that you never told</p> <p>21 Steve Becker that the conversation you</p> <p>22 overheard was illegally recorded, did you?</p> <p>23 MS. DAVIS: Objection; asked and</p> <p>24 answered now several times.</p> |

| Page 107 | Page 109 |
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| <p>1 BY MR. TAREN: 2 Q. Did you? 3 A. That was the whole illegal thing, 4 right? 5 Q. Right. 6 A. Like I said, I don't recall saying 7 anything about an illegal recording. 8 Q. So when you came back to work 9 after the weekend, what was the next thing 10 that happened that had anything to do with 11 this incident? 12 A. I don't remember how it came up, 13 but I remember talking to Sergeant Mills and 14 him asking me what time I was working till, 15 that he wanted to speak with me. 16 Q. What did you tell him? 17 A. What time I was working till. 18 Q. Did you go speak with him? 19 A. I did. 20 Q. Where? 21 A. Right outside our office. 22 Q. Was anyone else present? 23 A. Sergeant Barnes came in for a 24 minute, but then he left, not during our</p> | <p>1 A. I don't recall that. 2 Q. Did you tell Tom Mills basically 3 what you had observed and what -- 4 A. What I just told you. 5 Q. What you just told me? Yes? 6 A. Yes. 7 Q. What did he say? 8 A. He just said, I will handle it. 9 Q. Did he tell you how he would 10 handle it? 11 A. No. 12 Q. Did he ask you any questions? 13 A. I remember telling him what I 14 heard but he said that's -- that's okay. 15 Q. That's what he said, "that's 16 okay"? 17 A. He said, "I'll handle it." 18 Q. You have to answer my question. 19 So when I said that's what he said "that's 20 okay" is your answer yes? 21 A. Yes. 22 Q. Was Sergeant Barnes in there, in 23 the room for any part of the conversation 24 that you were having with Sergeant Mills?</p> |
| Page 108 | Page 110 |
| <p>1 conversation. I don't remember that. He 2 was asking me something else regarding work. 3 Q. Tell me what Sergeant Mills said 4 to you and what you said to him? 5 A. I don't know verbatim what was 6 said. 7 Q. You were discussing the incident 8 that you believe you heard on March 29th 9 with Sergeant Mills; is that correct? 10 A. Yes. 11 Q. By the way, had he sent you an 12 email first asking you come over or asking 13 you what happened? 14 A. He didn't ask me what happened. 15 He just said, what time are you working 16 till? 17 Q. Was that in an email? 18 A. I don't think so. I don't recall 19 it being in an email. I remember being on 20 the phone. I don't remember an email. I 21 don't recall one. 22 Q. So did you recall telling Mike 23 Barz from IAD that Tom Mills had sent you an 24 email asking you what happened?</p> | <p>1 A. Not that part of the conversation, 2 no. 3 Q. Did Sergeant Mills tell you how he 4 would handle it? 5 MS DAVIS: Objection; asked and 6 answered. 7 THE WITNESS: No, he didn't say. 8 He just said, "I will handle it." 9 BY MR. TAREN: 10 Q. Did you tell Sergeant Mills about 11 your conversation with Jan Hanna? 12 A. No. 13 Q. Why not? 14 A. I don't know. I just didn't. 15 Q. Did you ask Sergeant Mills any 16 questions? 17 A. Not that I recall. 18 Q. What was the next thing that 19 occurred with regard to anything to do with 20 this incident? 21 MS. DAVIS: Objection to the form 22 of that question. 23 THE WITNESS: What do you mean? 24</p> |

| Page 111 | Page 113 |
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| <p>1 BY MR. TAREN:</p> <p>2 Q. The next person you spoke to?</p> <p>3 A. What's the next thing? Couple of</p> <p>4 sergeants came into my office from IAD and</p> <p>5 closed the door and told me to give them my</p> <p>6 statement.</p> <p>7 Q. Now the conversation you had with</p> <p>8 Thomas Mills, was that on April 3rd?</p> <p>9 A. I don't recall what date it was.</p> <p>10 Q. So between the time you spoke with</p> <p>11 Thomas Mills and the time you spoke with the</p> <p>12 two sergeants from IAD, did you have any</p> <p>13 conversations with anyone that had anything</p> <p>14 to do with this March 29th incident?</p> <p>15 A. With Jan.</p> <p>16 Q. Do you recall talking to Jan about</p> <p>17 it?</p> <p>18 A. I somewhat recall. I mean,</p> <p>19 little bits of it.</p> <p>20 Q. Tell me the bits you recall.</p> <p>21 A. I asked her how did she not hear</p> <p>22 what I heard, and she said she didn't. And</p> <p>23 I said, "Are you sure?" She said, "I was on</p> <p>24 my phone." That's pretty much like.</p> | <p>1 Q. Did you ever send any texts or</p> <p>2 emails to Thomas Mills about the incident?</p> <p>3 A. About the incident?</p> <p>4 Q. Yes. Or anything to do with the</p> <p>5 CR.</p> <p>6 A. Not that I recall.</p> <p>7 Q. How did you find out that Officers</p> <p>8 Barz and Muscolino wanted to take your</p> <p>9 statement?</p> <p>10 A. Came into my office and shut the</p> <p>11 door.</p> <p>12 Q. Is that the first information you</p> <p>13 were given that someone had taken out a CR</p> <p>14 number?</p> <p>15 A. Yes.</p> <p>16 Q. Was this on April 9th?</p> <p>17 A. I don't remember the date.</p> <p>18 Q. First tell me what either Officer</p> <p>19 Barz or Officer Muscolino said to you when</p> <p>20 they came into your office? And if you can</p> <p>21 identify which ones said that, I would</p> <p>22 appreciate it. If not, give me what you</p> <p>23 recall.</p> <p>24 A. I only talked to Sergeant Barnes,</p> |
| Page 112 | Page 114 |
| <p>1 Q. Did you doubt that for some</p> <p>2 reason?</p> <p>3 A. Of course, I doubted that. She</p> <p>4 was sitting there.</p> <p>5 Q. Did you tell her about your</p> <p>6 conversation with Tom Mills?</p> <p>7 A. I don't remember. I could have</p> <p>8 told her about my conversation.</p> <p>9 Q. Have you ever sent any texts or</p> <p>10 emails that have anything to do with this</p> <p>11 incident to anyone?</p> <p>12 MS. DAVIS: Objection; asked and</p> <p>13 answered.</p> <p>14 THE WITNESS: Which incident?</p> <p>15 BY MR. TAREN:</p> <p>16 Q. The March 29th.</p> <p>17 A. The CR number incident?</p> <p>18 Q. Correct.</p> <p>19 A. Maybe Jan.</p> <p>20 Q. When did you send that?</p> <p>21 A. I don't know the dates.</p> <p>22 Q. Was it a text or an email?</p> <p>23 A. She was off working. I am assuming</p> <p>24 it was a text, I'm assuming.</p> | <p>1 I believe, the whole time.</p> <p>2 Q. Tell me what you said to him and</p> <p>3 what he said to you in this conversation?</p> <p>4 A. He asked me what happened, and I</p> <p>5 told him, as I explained to you, the same</p> <p>6 situation. Then it might have been more</p> <p>7 refreshing exactly the words that were said,</p> <p>8 and that was it.</p> <p>9 Q. What do you mean it might have</p> <p>10 been refreshing, the words that were said?</p> <p>11 A. Not refreshed. I might have known</p> <p>12 then more of the exact conversation of</p> <p>13 Sergeant Mills, words coming from Sergeant</p> <p>14 Mills.</p> <p>15 Q. Did you?</p> <p>16 A. No. It was pretty close to the</p> <p>17 time, so I believe it's in my statement.</p> <p>18 Q. If I told you that your statement</p> <p>19 does not recall any of the words, would that</p> <p>20 refresh your recollection?</p> <p>21 A. I don't know. I remember telling</p> <p>22 him I heard Sergeant Mills, and whatever my</p> <p>23 statement says is what happened. Like I</p> <p>24 said, it's a long time ago.</p> |

| Page 115 | Page 117 |
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| <p>1 Q. Did they show you your statement</p> <p>2 after they took it?</p> <p>3 A. No, no.</p> <p>4 Q. Did you tell Sergeant Barz that</p> <p>5 you didn't know for certain what the</p> <p>6 electronic device was?</p> <p>7 A. Yes.</p> <p>8 Q. Did you tell the officers from IAD</p> <p>9 that you didn't know if the voice was indeed</p> <p>10 Sergeant Tom Mills?</p> <p>11 A. I knew it was Sergeant Mills'</p> <p>12 voice.</p> <p>13 Q. So is your statement that you did</p> <p>14 not tell them that?</p> <p>15 MS. DAVIS: Objection to form of</p> <p>16 the question.</p> <p>17 THE WITNESS: I don't understand.</p> <p>18 BY MR. TAREN:</p> <p>19 Q. All I am asking you now is what</p> <p>20 you recall having told the IAD officers?</p> <p>21 A. That I heard Sergeant Mills'</p> <p>22 voice.</p> <p>23 Q. That you didn't know if the voice</p> <p>24 was indeed Sergeant Mills?</p> | <p>1 March 29th on this device. Can you tell me</p> <p>2 what the sense of what he was saying was?</p> <p>3 Do you have that recollection?</p> <p>4 A. It was loud.</p> <p>5 Q. Rather than just the volume, do</p> <p>6 you have any idea what the topic was that he</p> <p>7 was speaking about?</p> <p>8 A. I don't recall at this moment, no.</p> <p>9 Q. When you had your conversation</p> <p>10 with Thomas Mills, did he tell you that he</p> <p>11 had obtained a confidential CR number on</p> <p>12 Spalding?</p> <p>13 A. Not that I -- that day?</p> <p>14 Q. Correct.</p> <p>15 A. In that room?</p> <p>16 Q. Yes.</p> <p>17 A. No, I don't remember.</p> <p>18 Q. We also had some discussion about</p> <p>19 your observation -- the television, the</p> <p>20 first television report about the lawsuit</p> <p>21 that was filed, which I believe would have</p> <p>22 been some time in November of 2012. Do you</p> <p>23 recall that?</p> <p>24 A. Our conversation just now?</p> |
| Page 116 | Page 118 |
| <p>1 MS. DAVIS: Is that a question,</p> <p>2 counsel?</p> <p>3 MR. TAREN: Yes. It hasn't been</p> <p>4 answered yet.</p> <p>5 THE WITNESS: I don't recall. I</p> <p>6 don't remember. I remember what I remember</p> <p>7 now.</p> <p>8 BY MR. TAREN:</p> <p>9 Q. Do you recall telling Sergeant</p> <p>10 Barz or Muscolino that you didn't know if</p> <p>11 Spalding and Mills were having a telephone</p> <p>12 conversation?</p> <p>13 A. I don't remember. I don't recall.</p> <p>14 Q. Did anyone ask you to provide</p> <p>15 information to get a search warrant?</p> <p>16 A. No.</p> <p>17 MR. TAREN: I'd like to take a</p> <p>18 five-minute break. We are wrapping up here.</p> <p>19 (Whereupon, a break was taken</p> <p>20 from 12:26 to 12:35 p.m.)</p> <p>21 BY MR. TAREN:</p> <p>22 Q. Just a few more. Ms. Dougan, you</p> <p>23 earlier testified that you didn't recall the</p> <p>24 words that you heard Thomas Mills say on</p> | <p>1 Q. Yes.</p> <p>2 A. Yes.</p> <p>3 Q. So I think that you told me that</p> <p>4 you just happened to see the news report</p> <p>5 about the lawsuit on television; is that</p> <p>6 correct?</p> <p>7 A. Yes.</p> <p>8 Q. And did you ever hear Lieutenant</p> <p>9 Cesario say anything in the unit about Danny</p> <p>10 and Shannon having filed a lawsuit?</p> <p>11 A. Not that I recall.</p> <p>12 Q. And to your recollection, nobody</p> <p>13 gave you any kind of warning that they were</p> <p>14 going to be on television that night; is</p> <p>15 that correct.</p> <p>16 A. Not that I remember. I just</p> <p>17 remember seeing it.</p> <p>18 Q. After you saw it, do you recall</p> <p>19 having a conversation with Jan Hanna about</p> <p>20 the broadcast?</p> <p>21 MS. DAVIS: Objection; asked and</p> <p>22 answered.</p> <p>23 THE WITNESS: I probably talked to</p> <p>24 her, yes.</p> |

| Page 119 | Page 121 |
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| <p>1 BY MR. TAREN: 2 Q. Do you have any recollection of 3 what you said to Jan or Jan said to you 4 about what you had seen on television? 5 A. Just that they were on TV. 6 Q. That's it? You don't recall any 7 conversation about the lawsuit or the claims 8 that were presented on television? 9 A. I don't recall a conversation. 10 Q. Were people talking about it the 11 next day at work? 12 A. I don't remember, to tell you the 13 truth. I -- work is work. 14 Q. So you have no recollection of 15 anything that anyone else from Fugitive 16 Apprehensions said concerning the broadcast 17 of Danny and Shannon's lawsuit in November 18 of 2012; is that correct? 19 A. I don't recall anything, or what 20 if, or what was said. 21 Q. You also testified that you saw 22 Jan Hanna on television after she gave her 23 affidavit; is that correct? 24 A. Yes.</p> | <p>1 Dougan was on television -- 2 A. Not Jan Dougan. 3 Q. Excuse me. After Jan Hanna -- 4 A. Not really. 5 Q. -- was on the news about her 6 participation or giving an affidavit in this 7 case, you had a conversation with her on the 8 telephone, correct? 9 A. I probably emailed her. I said, I 10 hope you and your family are okay. Hope 11 you're okay. 12 Q. Did you ever have a phone 13 conversation with her? 14 A. I called her and told her to call 15 me. 16 Q. Did you have a conversation with 17 her on the telephone? 18 A. She didn't call me back. 19 Q. And in your email to her, did you 20 make any mention of anything to do with the 21 television broadcast in which her 22 participation by way of affidavit or 23 knowledge in this case was broadcast? 24 A. No.</p> |
| Page 120 | Page 122 |
| <p>1 Q. Did anyone warn you that that was 2 going to be on, or did you just happen to 3 watch the news and see it? 4 A. It was on previews to the news. 5 Q. Did someone tell you about it, or 6 did you see it yourself? 7 A. I saw it myself. 8 Q. So nobody called you up and said, 9 "Guess what, Jan is going to be on 10 television tonight"? 11 A. No. 12 Q. And after you saw that, did you 13 talk with Jan about it? 14 A. I might have talked to her and 15 said, I hope you and your family are okay. 16 Q. Why do you say that? 17 A. Because she was on a medical, and 18 I know she was going for disability. 19 Q. What did that have to do with the 20 broadcast? 21 A. That was just our normal 22 conversations of friendly talk. I didn't 23 talk about what was on TV. 24 Q. Are you saying that after Jan</p> | <p>1 Q. Did you ever refer to either 2 Shannon or Danny as an IAD rat? 3 A. No. 4 Q. Is it your sworn testimony you 5 never heard anyone use those words or words 6 to that effect to refer to Shannon or Danny? 7 A. Effect was that they were from 8 IAD? 9 Q. Right. 10 A. I personally didn't hear "rat." 11 Q. Do you know someone who did? 12 A. I don't know, no. 13 Q. Well. Did anyone ever tell you 14 that they heard someone refer to either 15 Danny or Shannon as a rat? 16 A. Not that I can recall. That word 17 doesn't stick out in my mind. 18 Q. Have you ever heard any police 19 officer referred to as a rat? 20 A. Not that I recall. A rat? 21 Q. A rat. 22 A. Not that I recall. 23 Q. What would your understanding be 24 of the meaning of referring to a police</p> |

| Page 123 | Page 125 |
|--|---|
| <p>1 officer as a rat?</p> <p>2 A. My personal opinion?</p> <p>3 Q. Correct.</p> <p>4 MS. DAVIS: Objection to the form</p> <p>5 of the question.</p> <p>6 THE WITNESS: Calling me a rat? I</p> <p>7 guess I would think that I was telling on</p> <p>8 somebody.</p> <p>9 MR. TAREN: I have no further</p> <p>10 questions.</p> <p>11 MS. DAVIS: Okay. We will</p> <p>12 reserve.</p> <p>13</p> <p>14 (FURTHER DEPONENT SAITH NOT.)</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> | <p>1 STATE OF ILLINOIS)</p> <p>2) SS:</p> <p>3 COUNTY OF DU PAGE)</p> <p>4</p> <p>5 I, MARIBETH REILLY, a notary public</p> <p>6 within and for the County of DuPage County</p> <p>7 and State of Illinois, do hereby certify</p> <p>8 that heretofore, to-wit, on June 17, 2015,</p> <p>9 personally appeared before me, at One North</p> <p>10 LaSalle Street, Chicago, Illinois, COLEEN</p> <p>11 DOUGAN, in a cause now pending and</p> <p>12 undetermined in the Northern District of</p> <p>13 Illinois, wherein Chicago Police Officers</p> <p>14 SHANNON SPALDING and DANIEL ECHEVERRIA are</p> <p>15 the Plaintiffs, and CITY OF CHICAGO, et al.,</p> <p>16 are the Defendants.</p> <p>17 I further certify that the said COLEEN</p> <p>18 DOUGAN was first duly sworn to testify the</p> <p>19 truth, the whole truth and nothing but the</p> <p>20 truth in the cause aforesaid; that the</p> <p>21 testimony then given by said witness was</p> <p>22 reported stenographically by me in the</p> <p>23 presence of the said witness, and afterwards</p> <p>24 reduced to typewriting by Computer-Aided</p> |
| Page 124 | |
| <p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 NORTHERN DISTRICT OF ILLINOIS</p> <p>3 EASTERN DIVISION</p> <p>4 Chicago Police</p> <p>5 Officers SHANNON</p> <p>6 SPALDING and</p> <p>7 DANIEL ECHEVERRIA,</p> <p>8 Plaintiffs,</p> <p>9 vs.</p> <p>10 CITY OF CHICAGO,</p> <p>11 Chicago Police</p> <p>12 Chief JUAN RIVERA, et al.,</p> <p>13 I, COLEEN DOUGAN, being first duly</p> <p>14 sworn, on oath say that I am the deponent in</p> <p>15 the aforesaid deposition taken on</p> <p>16 June 17, 2015; that I have read the</p> <p>17 foregoing transcript of my deposition,</p> <p>18 consisting of pages 1 - 126, and affix my</p> <p>19 signature to same.</p> <p>20</p> <p>21 COLEEN DOUGAN</p> <p>22</p> <p>23 Number of errata sheets</p> <p>24 attached_____</p> <p>Subscribed and sworn to</p> <p>before me this day</p> <p>of , 2015.</p> <p>Notary Public</p> | |

1 Transcription, and the foregoing is a true
2 and correct transcript of the testimony so
3 given by said witness as aforesaid.

4 I further certify that the signature
5 to the foregoing deposition was reserved by
6 counsel for the respective parties and that
7 there were present at the deposition the
8 attorneys hereinbefore mentioned.

9 I further certify that I am not
10 counsel for nor in any way related to the
11 parties to this suit, nor am I in any way
12 interested in the outcome thereof.

13 IN TESTIMONY WHEREOF: I have hereunto
14 set my hand and affixed my notarial seal
15 this 8th day of August, 2015.

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21 NOTARY PUBLIC, DU PAGE COUNTY, ILLINOIS

22 C.S.R. No. 084-002306

23

24

EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
|---|---|----------------------------------|
| Chicago Police Officer SHANNON SPALDING, |) | |
| Chicago Police Officer DANIEL ECHEVERRIA, |) | Case No. 12-cv-8777 |
| |) | |
| Plaintiffs, |) | Judge Gary Feinerman |
| |) | Magistrate Judge Shelia Finnegan |
| v. |) | |
| |) | |
| CITY OF CHICAGO, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

DECLARATION OF KEVIN CULHANE

I, Kevin Culhane, declare under penalty of perjury that this statement is true and correct.

1. I have been employed with the Chicago Police Department ("CPD") since 2002. Since in or about 2007 until now, I have worked in Unit 606, Central Investigations, in Auto Theft.
2. Leads 2000 is a database for law enforcement personnel that is run by the Illinois State Police. Officers use Leads 2000 for tasks such as running license plates or drivers' licenses. Since in or about 2008, I have been a Leads 2000 Delegate. As a Leads 2000 Delegate, I have certain Leads 2000 administrative privileges that allow me to assist any officer in the City with setting up accounts, changing passwords and trouble-shooting system issues. Issues which I cannot resolve, I refer to CPD Leads Administration.
3. I am familiar with Shannon Spalding ("Spalding") and Daniel Echeverria ("Echeverria"). At some point after they were assigned to Unit 606, I recall assisting them with Leads 2000.
4. Accurint is investigative technology that provides access to a comprehensive database of public records. I have never been an administrator of Accurint, nor have I ever had

any administrative privileges to set up Accurint accounts for any officers. I also have never had my own Accurint account.

5. At no point did Robert Cesario ("Cesario") or anyone else at CPD instruct me not to give either Spalding or Echeverria access to Leads 2000 or Accurint. If anyone had made such a statement to me, I would have questioned it.

6. I am familiar with Jan Hanna ("Hanna"). At no point did I tell Hanna that Cesario or anyone else at CPD had instructed me not to give Spalding or Echeverria access to Leads 2000 or Accurint.



Kevin Culhane

Executed on March 25, 2016